

ILLINOIS GENERAL ASSEMBLY ORAL HISTORY PROGRAM

# HAROLD A. KATZ

## MEMOIR

## VOLUME 1

353.9121

K159x

v.1

DEPOSITORY

OCT 18 1988

UNIVERSITY OF ILLINOIS  
AT URBANA-CHAMPAIGN



PREPARED FOR THE ILLINOIS LEGISLATIVE RESEARCH UNIT  
BY THE ORAL HISTORY OFFICE, LEGISLATIVE STUDIES CENTER OF SANGAMON STATE UNIVERSITY  
SPRINGFIELD, ILLINOIS

1988

## **Joint Committee on Legislative Support Services**

Rep. Michael J. Madigan, Chicago, Chairman  
Speaker of the House

Sen. Philip J. Rock, Oak Park  
President of the Senate

Rep. Lee A. Daniels, Elmhurst  
House Minority Leader

Sen. James "Pate" Philip, Elmhurst  
Senate Minority Leader

### **Legislative Research Unit**

222 S. College, Third Floor, Suite A, Springfield, Illinois 62704

#### **Co-Chairmen**

Sen. Jack Schaffer, Crystal Lake  
Rep. Sam W. Wolf, Granite City

#### **Senators**

Howard B. Brookins, Chicago  
John A. D'Arco, Chicago  
Miguel del Valle, Chicago  
Walter W. Dudycz, Chicago  
William F. Mahar, Homewood

#### **Representatives**

Loleta A. Didrickson, Flossmoor  
James M. Kirkland, Elgin  
Robert LeFlore, Jr. Chicago  
Michael J. Tate, Decatur  
(vacancy)

### **Illinois General Assembly Oral History Program Advisory Committee**

Terry Bruce, Olney  
U.S. Congressman  
19th District

Cullom Davis, Director of Oral History  
Office and Professor of History,  
Sangamon State University

William L. Day, Former Director  
Illinois Legislative Council;  
Editor Emeritus, Illinois Issues

David Everson, Professor of Political Studies  
and Public Affairs, Sangamon State University

Gerald L. Gherardini, Associate Director  
Legislative Research Unit

Samuel K. Gove, Professor  
Institute of Government and Public Affairs,  
University of Illinois (Former Director)

H. William Hey, Former Director  
Legislative Research Unit

Patrick O'Grady, Executive Director  
Legislative Research Unit

Dan Holt, formerly associated with  
State Historical Library and  
Sangamon State University

Robert P. Howard, Former Statehouse Reporter  
for Chicago Tribune; Author, Illinois: A  
History of the Prairie State

Margaret Munn, Former Branch Chief  
Department of Mental Health

J. Glenn Schneider, Former State Representative  
(D-Naperville), and Social Studies Teacher,  
Naperville North High School

Jack Van Der Slik, Director  
Legislative Studies Center and  
Professor of Political Science  
Sangamon State University

UNIVERSITY OF  
ILLINOIS LIBRARY  
AT URBANA-CHAMPAIGN  
STACKS

**Harold  
A.  
Katz  
Memoir  
Volume I**

**ILLINOIS GENERAL ASSEMBLY  
ORAL HISTORY PROGRAM**

**PREVIOUS TITLES IN SERIES**

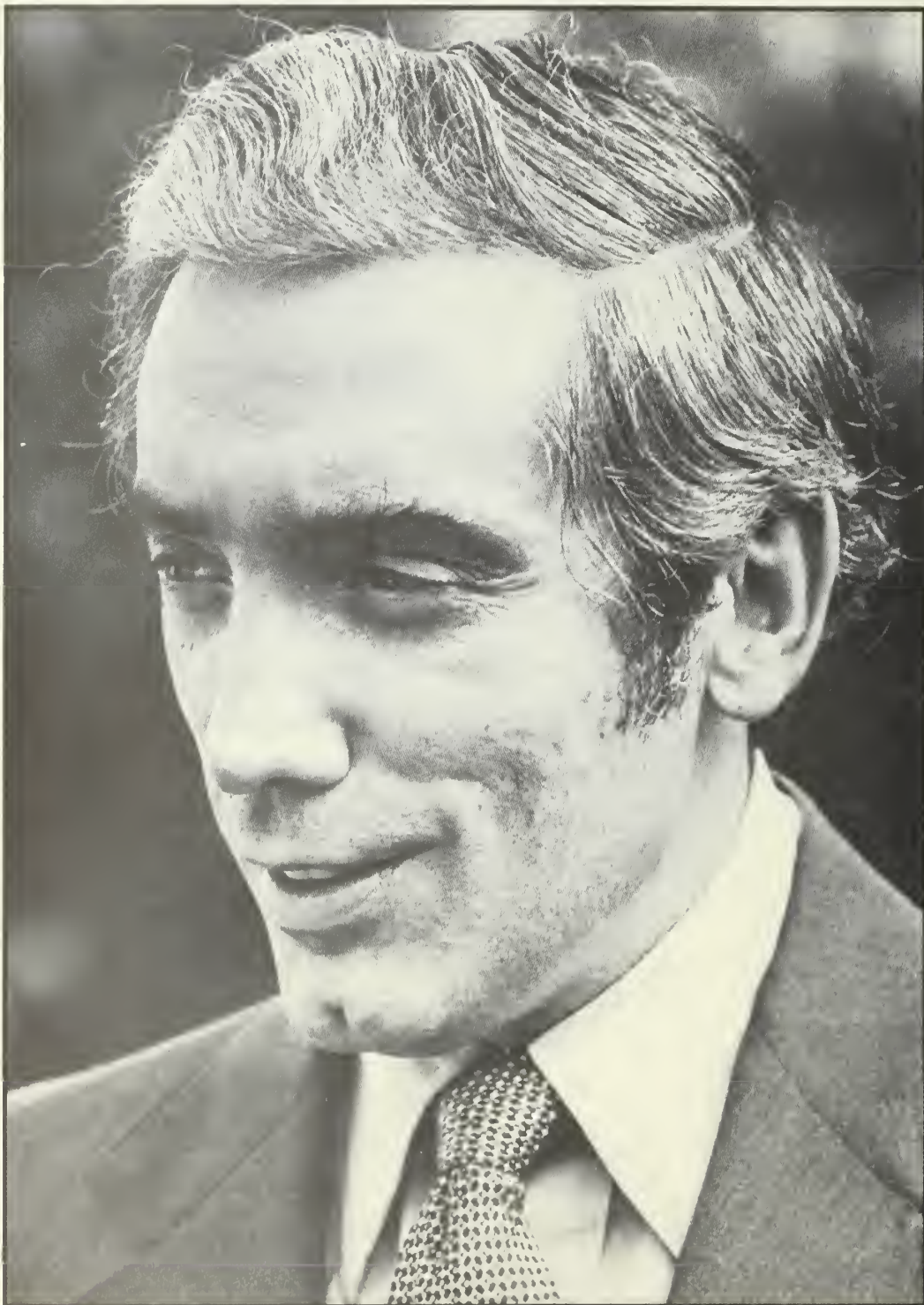
Martin B. Lohmann Memoir, 1 Vol. (1980)  
Bernice T. Van der Vries Memoir, 3 Vols. (1980)  
Walter J. Reum Memoir, 2 Vols. (1980)  
Thomas A. McGloon Memoir, 2 Vols. (1981)  
John W. Fribley Memoir, 2 Vols. (1981)  
Charles W. Clabaugh Memoir, 2 Vols. (1982)  
Cecil A. Partee Memoir, 2 Vols. (1982)  
Elbert S. Smith Memoir, 2 Vols. (1982)  
Frances L. Dawson Memoir, 2 Vols. (1982)  
Robert W. McCarthy Memoir, 2 Vols. (1983)  
John C. Parkhurst Memoir, 2 Vols. (1984)  
Corneal A. Davis Memoir, 2 Vols. (1984)  
Cumulative Index, 1980-1984  
Edward P. Saltiel Memoir, 1 Vol. (1985)  
William A. Redmond Memoir, 2 Vols. (1986)  
John G. Gilbert Memoir, 1 Vol. (1986)  
Paul J. Randolph Memoir, 1 Vol. (1986)  
William L. Grindle Memoir, 2 Vols. (1986)  
Gale Williams Memoir, 2 Vols. (1986)  
Robert L. Burhans Memoir, 1 Vol. (1987)  
Esther Saperstein Memoir, 2 Vols. (1987)  
Leland Rayson Memoir, 1 Vol. (1987)  
Donald O'Brien Memoir, 1 Vol. (1988)  
George Dunne Memoir, 1 Vol. (1988)  
Leland J. Kennedy Memoir, 2 Vols. (1988)  
George Burditt Memoir, 2 Vols. (1988)  
Harris Rowe Memoir, 1 Vol. (1988)  
Carl Wittmond Memoir, 1 Vol. (1988)  
Clyde Lee Memoir, 1 Vol. (1988)  
Anthony Scariano, 2 Vols. (1988)

# **HAROLD A. KATZ**

## **VOLUME I**

PREPARED FOR THE ILLINOIS LEGISLATIVE RESEARCH UNIT  
BY THE ORAL HISTORY OFFICE, LEGISLATIVE STUDIES CENTER OF SANGAMON STATE UNIVERSITY  
SPRINGFIELD, ILLINOIS  
1988





HAROLD A. KATZ  
ILLINOIS HOUSE OF REPRESENTATIVES  
1965-1983

353.9121  
K159x  
v. 1

## Preface

This oral history of Harold A. Katz's service in the Illinois House of Representatives is a product of the Illinois Legislative Research Unit's General Assembly Oral History Program. The oral history technique adds a distinctive new dimension to the unit's statutory responsibility for performing research and collecting information concerning the government of the state.

Harold A. Katz was born in Shelbyville, Tennessee on November 2, 1921. Both his parents had come from Russia. His father was a merchant in Shelbyville and later in Nashville, but during the Great Depression he experienced business reverses and thereafter sold life insurance. As a young boy and high school student Mr. Katz developed interests in journalism and liberal Democratic politics. He attended Vanderbilt University where he became controversial as an early supporter of integration and an expanded role for the labor movement. After graduating from Vanderbilt he took a job with the War Labor Board and later with the National Labor Relations Board. Toward the end of World War II he entered the University of Chicago law school and also married Ethel Mae Lewison. As a practicing lawyer he specialized in labor law, doing work for the United Auto Workers and other unions, and also published articles and books. His political career began after the family moved to suburban Glencoe.

Mr. Katz was first elected to the Illinois House of Representatives in 1964, when a redistricting stalemate resulted in a statewide at-large election. In the General Assembly he quickly earned a reputation for hard work, independence, and a reformist temperament. Active in many areas, he took special interest in civil liberties and criminal law, regional transportation, public health and safety, education, automobile safety, and consumer protection matters, licensure and "sunset" legislation, and legislative rules and procedures. His most conspicuous and lasting contribution was helping to create and chair the Commission on the Organization of the General Assembly (COOGA), a highly productive body that spearheaded the streamlining and modernization of the legislature. In addition, he took a strong interest in the movement toward and subsequent convention for a new state constitution. He was successful in his campaign to provide for the election of delegates to the convention on a non-partisan basis.

Mr. Katz left the legislature in 1983 and returned full time to the practice of law. His memoir is noteworthy not only for its meticulous recollection of important historical information but also its candor and analytical perspective. Mr. Katz was as serious about creating this autobiographical record as he earlier was about politics and public service.

Readers of this oral history should bear in mind that it is a transcript of the spoken word. Its informal, conversational style represents a deliberate attempt to encourage candor and to tap the narrator's memory. However, persons interested in listening to the tapes should understand that editorial considerations produced a text that differs somewhat from the original recordings. Both the recordings and this transcript should be regarded as a primary historical source, as no effort was made to correct or challenge the narrator.

Neither the Illinois Legislative Research Unit nor Sangamon State University is responsible for the factual accuracy of the memoir, nor for views expressed therein; these are for the reader to judge.

The tape recorded interviews were conducted by Horace Waggoner between June 1983 and April 1984. Mr. Waggoner was born in 1924 in Waggoner, a small farm-service community in central Illinois. At age 18, he enlisted for military service in World War II and, as a U.S. Air Force commissioned officer, continued to serve until 1973. Upon leaving service, he resumed his formal education, achieving a masters degree in history at Sangamon State University in 1975. He was associated with the Sangamon State University Oral History Office from 1976 until his death in 1987.

Julie Allen transcribed the tapes and, after the transcriptions were edited by Horace Waggoner and reviewed by Mr. Katz, Barbara Guzouskis and Julie Allen prepared the typescript. Florence Hardin compiled the index. The Chicago *Tribune* provided valuable assistance in the pre-interview research effort.

This oral history may be read, quoted and cited freely. It may not be reproduced in whole or in part by any means, electronic or mechanical, without written permission from the Illinois Legislative Research Unit, Third Floor, Suite A, 222 S. College, Springfield, Illinois, 62704.



# Table of Contents

Note on page location:  
Volume I: pages 1-96  
Volume II: pages 97-203

Preface .....	v
The Years Before .....	1
<p>Family background - Russian ancestry - father's business and Depression years - education in Nashville - family and social life - discrimination - Vanderbilt University - interest in journalism - acquaintance with Eleanor Roosevelt - graduate education at University of Chicago - jobs with War Labor Board and NLRB - activity in Democratic Party - auto redesign for safety - Veto Force for Governor Otto Kerner</p>	
The General Assembly Years .....	58
<p>Blue Ribbon candidate - Independent Democrats - Best Legislator awards - legislative programs - committee chairmanships - change in criminal sentencing law - Estelle Wirpel - state income tax - modernization of legislative process - Constitutional Convention - Regional Transportation Authority - elimination of cumulative voting - the legislative life</p>	
The Years After.....	191
<p>Private law practice - retirement from public life</p>	
Index .....	196
Appendix A: Postscript--Excerpts from Paul K. Conklin, <i>Gone with the Ivy: A Biography of Vanderbilt University</i> (1985) .....	A-1
Appendix B: Publications of Harold A. Katz .....	B-1

Illustrations following page 38 and 174



Digitized by the Internet Archive  
in 2016

<https://archive.org/details/haroldakatz01katz>

## Harold A. Katz

SESSION 1, TAPE 1, SIDE 1

Q: I usually start with a vital statistic. When were you born, sir?

A: November 2, 1921.

Q: And where were you born?

A: In Shelbyville, Tennessee, a small town about sixty miles from Nashville, Tennessee.

Q: What was your father's name?

A: Maurice W. Katz.

Q: Was he born there, also?

A: No, my father was born in Russia. He emigrated from Russia in the early part of this century. There were pogroms going on in that area of Russia near the Polish border. There was also a draft in connection with the Russian-Japanese War. At that time the period of military conscription in Russia was for twenty-five years. And so his family simply arranged for him to emigrate to the United States.

Q: Did he have any relatives here that he came to?

A: Well, he had an uncle in the United States in Carbondale, Pennsylvania. My father went there and became a peddler. Although he could speak only a few words of English, he used to travel in the rural areas of Pennsylvania with a big pack on his back, going from household to household, selling notions and different items of that sort. Then after a national coal strike came, paralyzing the economy, he moved down to Tennessee, and that's how he got to Tennessee.

Q: And what did he do in Tennessee?

A: He worked in a general store. Ultimately he opened a store himself in Nashville. And he continued in the retail field until the Great Depression came in the early 1930's. My father and mother were wiped out economically in the Depression. Finally, my father got a job in 1934 working as an agent for the Metropolitan Insurance Company, and he continued to work for the Metropolitan Insurance Company until he retired in 1959.

Q: How did he pick up the language?

A: With great difficulty. They didn't have any Berlitz courses in those days. He simply did the best he could. As a matter of fact, I was surprised that he was able to pick up enough English so that the Metropolitan Insurance Company hired him in the 1930's. Yet he managed. Despite loneliness, struggle, poverty, and back-breaking labor, he picked up enough of the language to get along. Of course, he said that people were very nice and kindly to him, in a way that maybe they wouldn't be now. When he was young and he traveled around Pennsylvania, selling notions to farmers, the farmers would offer him food and lodging for the night. There was a general familial feeling toward every member of the human race in rural areas in those days. And people were not as suspicious of strangers. They had no hesitancy in offering strangers the opportunity to stay overnight with them. So he got along, being not only his own translator and his own salesman, but also his own horse. He couldn't afford to buy one, and so, for many years, he had to carry the material that he sold in a pack on his back.

Q: Now, did he have his own capital to purchase this material that he was going to sell?

A: He came destitute. It was a different kind of a world; people trusted other people. He found people who were willing to trust him with merchandise that he would take on consignment. And he would pay his bills promptly. It was a hand-to-mouth operation, and it probably couldn't be duplicated in our current society. His uncle, I think, helped him a little. But his uncle was also not a man of wealth.

Q: Did he ever speak of the old country?

A: Yes he did, he spoke of Russia. First of all, he came from a long line of rabbis. He decided not to be a rabbi. He had a gentle nature. He remembered the Cossacks terrifying the Jewish community. And that was the main reason that his parents sent him away. The Cossacks would ride into a town and beat and loot the Jews.

He was one of three children at that time. He came over, subsequently arranged for his sister to come over, and then for his half-brother. As a matter of fact, it was only a few years ago that we discovered what happened to the rest of the family. His father remarried, and, with his second wife, had a number of children, a fairly extensive family. And every one of them was killed by the Nazis, with one exception. We learned of one half-brother by the name of Kalman, who was in the Russian army at that time. By being away in the army, he avoided being killed by the Nazis. But there is simply no one else left in the family. I mean every cousin, every aunt, everyone was killed by the Nazis, with the exception of Kalman. This was the Holocaust.

Q: How did this come to light?

A: Well, my uncle had thought that everyone had been killed. And my uncle heard from somebody else who had come to the United States that Kalman was living. And my uncle wrote to him. That was probably about five or six years ago. Since then, there have been communications with Kalman who is now in a retirement community in the Crimea in Russia. The letters from him have a certain pathetic quality because he is always writing about the members of his family, the brothers and the sisters and the others who were born out of the second marriage of my grandfather. And he is very lonely, as you can well understand.

Q: Well, of course, I guess you never met your grandparents.

A: No, I never met my grandparents on my father's side.

Q: You say there was an uncle and an aunt who came to the United States.



A: Yes, there were an uncle and an aunt.

Q: Did you know them?

A: Oh, yes, I knew them very well. And they came to Nashville, Tennessee. One of them is still alive. My father is still alive. My father is ninety-four, and, for ninety-four, in excellent health. [Maurice W. Katz died on March 11, 1985, subsequent to the sessions recorded here.]

Q: What was the uncle's name?

A: The uncle was Joseph; we called him "Uncle Joe." He was more Americanized than the other two. He learned English well, probably because he came at a younger age than my father. In general, he was more in the spirit of America, and so he was able to adjust to the culture and the language faster than his brother or sister. He had no trace of an accent. And, unlike my father, he mingled some in the financial community.

Q: What occupation did he . . .

A: He was a merchant, and very successful. He was not a Marshall Field, I don't mean to imply that, but he had a store in Nashville, and he had owned a store in Shelbyville before he went to Nashville, and he was a substantial citizen of Shelbyville for quite a while. I remember visiting him. Once he described a lynching that took place there — I'll never forget that. This was the pre-civil rights South. It is jarring to recognize that lynchings took place in the United States well into the Twentieth Century.

Q: This would have been in the 1920's?

A: Well, this would have been in the 1920's, yes. And into the 1930's, as well. I have very strong memories, both of the Depression and its effects, and of the discrimination against blacks. I think those childhood memories have shaped my intellectual and emotional development.

Q: What do you remember of Shelbyville, the life there?

A: I remember nothing of Shelbyville. I was very young when we moved away from there. I would occasionally go back to visit. It is simply a small farming community. When I reached school age, we were living in Nashville. That was the place I was raised. My uncle would tell me about Shelbyville and the Nashville newspapers were full of stories about the lynching in the square in Shelbyville. It was just a dreadful . . .

Q: You didn't see that?

A: No, I didn't see that. He did. He was there. He was totally out of sympathy with it. It was a little like the Cossacks in Russia. The forces of nihilism would suddenly prevail and there would be no public authority maintaining the peace, protecting the blacks, any more than the Jews were protected by the authorities in Russia.

Q: Did he say what was the cause of the lynching?

A: There was a rumor that a black man had raped a white woman. There was no due process. There was no system of justice. There was no inquiry into whether the individual did or did not do what he was charged with. The story would get around. The men would gather, and the sheriff would absent himself. Maybe he was terrorized, who knows, but at least he was not there. And they would just take the poor man who was the butt of it all and string him up. During my youth, during the 1930's, there were a number of lynchings in the South. This was not an isolated episode.

Q: Do you recall any in Nashville that . . .

A: No, I don't recall any lynchings in Nashville, but in the rural areas of the South never a year went by during my early youth without a number of lynchings.

Q: What was your mother's name?

A: Gertrude Evelyn Cohen.

Q: And what is her family background?

A: She came with her parents from Russia as a young girl. She was the youngest of five. As she described it to me once, her father had come over to America before and had arranged for the family to follow. It was unlike the situation with my father, where his parents never came over. I've always felt there was something poignant, even tragic, in parents making the ultimate sacrifice of sending their children away from strong anti-semitism and a difficult life, knowing that they were not going to be able to follow, or see their children again. But my mother's parents came with the children. They all settled in Nashville and lived there.

Q: Did they come from the same part of Russia?

A: Relatively close. It was that part of Russia that was near the Polish border. It was in the general area of Minsk.

Well, anyway, my mother's father came to the United States and left all of that. When he got here he tried to manage the same way that my father did. He bought a wagon and a horse, and he tried to make enough money to live on in Nashville. Ultimately he opened a store in Nashville. My father worked for him. We lived back of the store for a number of years. This was before I entered school.

Q: So that's the way that your mother and your father met?

A: Yes, through her father. And they had a long marriage. My mother died on January 11, 1982 in Denver. My parents had lived there near my sister after my father retired from his job with the Metropolitan in 1959.

Q: Did they continue the same type of religious activity in the States as they had . . .

A: They were religious, but they were not rabbis nor were they devoting their lives to a scholarly type of existence as their forebears had done in Russia. They were observant Jews. They would pray regularly at the synagogue. But as time went on and they became more Americanized, the synagogue became less central to our lives. Inevitably, life in secular America differed from life in an other-worldly, Russian shtetl.

Q: Did they gain much help from the Jewish community that they entered when they came here?

A: The Jewish community was always very good about trying to help its members. That's almost inevitable when you are from a group that has been persecuted. In the words of Wesley, "There but for the grace of God stands I." When somebody like my father came over, they would do anything they could to help. But this was also true of the non-Jewish community. My father has told me about the farmers in Pennsylvania who could hardly understand him. They communicated by sign language. But they were really so good to him. They helped him in whatever way they could. There was goodness in that kind of community. I hope the country will never lose that quality.

Q: Did he have any bad experiences?

A: Very few. He did not encounter anything like he had come from, the Cossacks riding into the community and terrorizing the Jews. There was not widespread anti-semitism. With the Ku Klux Klan strain in the South, some anti-semitism undoubtedly existed. And he encountered it. I remember occasional episodes of anti-semitism from my own youth. But it wasn't comparable to anything that my father had experienced in Russia. This really was a new world for him. And his parents were proven right. In America he was accepted in a way that he could never have been accepted in Russia. And so were his children.

Q: Now you spent your preschool years, then, in Shelbyville?

A: In Shelbyville and in Nashville, more in Nashville. We had come to Nashville and my father had gone into business, had become part of my grandfather's business. It was a little neighborhood store and we lived behind the store, both families. The extended family still existed, my grandfather, my grandmother, my parents, my siblings, and myself.

Q: Well, let's see now, when you moved to Nashville you say your parents moved in behind the store there.

A: There were different places they stayed, but during my early years before entering school we were living back of the store.

Q: What do you remember of that apartment, I guess it would have been?

A: It was very clean but rudimentary. Few of the modern conveniences existed. But we enjoyed it, it was all that we had. Kids nowadays don't understand that you could get by without television, and get by without other conveniences, but the truth of the matter is that the kids did other things. They played "Red Rover" and "Hide and Seek" and other games and also read a lot. Interestingly enough, there were blacks not too far away from where we lived. There was not the total segregation that you have had in some northern communities.

The old schoolhouse looked like it was ready to crumble. It was an ancient school but it was adequate.

Q: Could you describe the community?

A: Yes. The community was certainly a lower-middle class community, a poor community. The people were working people. It was nothing like my constituency, not an upper middle-class suburban community. My parents barely made it. Although it was a poor area they did manage to make a bare living. They would sell a little here, and they would sell a little there. And as a matter of fact my father left the store in the early 1930's. The following episode occurred: a customer came in to the store to buy a handkerchief, a man named Mr. Williams, who was an assistant manager in Nashville of the Metropolitan Life Insurance Company. It was late in the day and Mr. Williams gave my father a five dollar bill. My father opened the cash register to give change, and Mr. Williams said to him, "Mr. Katz, is this all the money you have taken in all day?" And my father said yes. And Mr. Williams said, "You can't survive with that. I'm going to try to talk to my manager and see if I can get you a job with the Metropolitan." That's how my father ended up leaving the store. Economic conditions were so dreadful that even a customer noticed that he didn't have enough money to survive. But we survived some way or other, and my father . . .

SESSION 1, TAPE 1, SIDE 2

Q: . . . dwelling in that sort of place?



A: Oh yes, these were battered frame houses. If anybody were surveying it for the Twentieth Century Fund, they would have concluded that this was life at the poverty level. Fortunately, we never viewed it that way.

The way the blacks were treated used to bother me. They were in the neighborhood, and if they kept their place, they could be treated in a friendly way. When we went to the local theater downtown, the blacks sat in the upper balcony. White Nashville would sit either on the main level or in the first balcony. But in the far upper balcony, there was a separate place where only the blacks would sit. And if we got on a bus, well, the blacks had to go to the back of the bus. I played with blacks in the neighborhood. But if you went to the theater together, they had to go up to the upper gallery, or if we got on a bus, they had to go to the back of the bus. You just couldn't be together. And there were drinking fountains — the blacks would have their drinking fountains in public places, and the whites would have theirs. It is just unbelievable that things were like that in Nashville, but they were. There was some kindness between whites and blacks, as long as blacks did what they were supposed to do. Let them get out of line, and they would be treated brutally. My parents were not typical of the community. But, in any event, that's the way life was.

Q: Did any of the blacks work at the store?

A: No, we had no outsiders working in the store. It was a small store. And that's why I would not want you to get any exaggerated ideas of my father as being part of the mercantile class. Nothing like that. It was a very meager existence. The Depression was a disaster even to that meager existence. It was a Ma and Pa Store. They would stay open long hours and in some way manage to get enough money so that they could provide sustenance for the family.

Q: Let's see, how many brothers and sisters?

A: I had one of each and I was the youngest of three. I have a brother who is about five and a half years older than I, and a sister about three and a half years older than I.

Q: What's your brother's name?

A: Sam. He left Nashville in the Depression. Sam was intellectually motivated, what you would now call college material. But there wasn't enough money to send him to college, so he went to Washington to take a job as a junior messenger with the Veterans Administration. His pay was six hundred dollars a year.

He went to school at night in Washington and gradually picked up his formal education. He became a government person and moved into professional areas. He was an advisor at the Federal Reserve Board, and then he became editor of an International Monetary Fund publication. Now he's on the faculty of Georgetown University. At that time, in the Depression years, there just wasn't money to send a child to college. By the time I came along the Depression had eased just a little.

Q: It had?

A: Not very much, but a little. When I entered Vanderbilt in 1939, the tuition was two hundred and seventy-five dollars for a year. My parents did not have that much money. And I remember that the university agreed to take three postdated checks from my father so that he could write out a \$100 check and date it two months ahead, and write out another for \$100 and date it four months ahead, and then a third one for \$75 and date it six months ahead. By the time each check became due, he and my mother — she tried to keep the store going after he went to work for the Metropolitan — would try to scrape up enough money so that each check would clear.



Q: Well let's see, in the community there, what types of things did you do other than play with the other children? Did you go to movies?

A: Oh yes, movies were great fun. And they would have nights at the movie where you might win a set of dishes. Going to the movies was a favorite pastime. And I would read. I used to love all of the boys' books, the Rover Boys, Tom Swift, and Frank Merriwell and I read dozens of those books. There was a lot of free time in which to day dream. And I got very interested at a relatively early age in what was going on in the world, partly due to the influence of my brother, who was intellectually motivated, as I have said. Also, the Depression enhanced my interest in trying to find out what was going on. Even at ten, eleven, twelve, I would be reading newspapers every day and following what was going on in the world. I always had a lot of interest in things like that.

Q: Where did you do your reading? Did you have the newspaper in the home there?

A: Yes, yes, yes! Everybody had newspapers. It was different then, before television. Radio had come along, and it had a significant impact. But newspapers were important in a way that they no longer are. The whole city depended on newspapers. How exciting it was to hear newsboys run up and down the streets, yelling, "Extra! Extra!" We always read a newspaper. I loved it and would write letters to newspapers. I engaged in prolific correspondence. The newspaper editors encouraged people to write letters, and would designate each day a three-star letter. If you were a three-star letter winner, you won a dollar. I collected a number of dollars that way, which amounted to a lot in those days. However, I'm sure that the public recognition in having the three stars over my letter was even more important to me. In any event, the newspapers were very important in my education.

My brother used to do a lot of reading about social problems. He was older and concerned about the very high unemployment of the 1930's. So, he took to reading books that had to do with what was causing it all. And I was always greatly enamored of the president. The president was like the mayor. If you said The President, you meant Franklin D. Roosevelt, and later if you said The Mayor you meant Mayor Daley.

Q:(chuckles) I see. Yes, sir.

A: The president was something. We would sit in front of the radio glued to his fireside chats. The whole family would be there. And then we would also listen to Eddie Cantor, Edgar Bergen, and Jack Benny on Sunday night radio. Since we didn't have a lot of money, it was better to get our entertainment from the radio, rather than the movies. I loved Fred Allen and Amos and Andy.

But it was difficult. I remember wanting to participate in athletics at the local Y. This would be the YMHA [Young Men's Hebrew Association], the Jewish Y as distinct from the Christian Y. Often my parents didn't have enough money to send me. We had no economic advantages, that was for sure, during that whole period.

Q: Well now, you started to grade school there. Was this a public school?

A: Oh yes this was a public school and it was not far from the house. However, when my father got his own store, we moved into a different area. But by and large, we always lived in areas that were on the under side of middle class.

Q: What do you recall of the first school that you attended?

A: Well, I recall kindergarten or first grade, and my teacher, Ethel Moxley. I haven't thought of her name in a long time. In any event, she was a nice and gentle woman. The teachers I remember best were those who taught social studies, or whatever we called it

then, history, or civics. Miss Pitman used to teach civics. And I would learn about government and I have always had an interest in government, even during that period of time. The classes I liked best related to current events. I would bring to class items clipped out of the newspaper that related to civics. I liked English, and I had an English teacher whom I liked. I was never very good at math or science. Nor was I great at languages. I studied French, but my recitations in the class were not very good. In fact, I remember reading French in class, and the whole class would laugh because I was so clumsy in my pronunciation. So there were some subjects that I liked, and there were some that I didn't. I managed to do satisfactorily in school.

Q: Did you feel comfortable in school?

A: Well, I felt mildly comfortable. I would not want to tell you that I was the most popular kid in school at the level that we are talking about, grade school. I did get along. There were almost no Jewish kids in the schools where I grew up. I would say it was not idyllic from my point of view, but there were teachers who did kindle an interest in subjects. The kids that I played with were largely the kids in my immediate neighborhood. I participated a lot in football and baseball and running. I was not a great athlete, but I was an all right athlete. My favorite sport was tennis. My brother and I would play sidewalk tennis in front of our house hour after hour after hour, and day after day after day.

Q: Did you have any close friendships that developed in grade school?

A: I did not have any great friendships in grade school. I think it was a deficiency in my early life. I had more friendships with people who were not in the grade school. As I indicated to you earlier, the area where we lived had very few Jews. My parents were anxious that I have a religious education. And I would go to the Jewish temple where in religious school I developed most of my friendships. This was due in part, I think, to the social patterns at that time. It depended upon your age. As you grew older and you went to high school and college you just knew that Gentiles did not welcome dates with Jews. Those were quite different days. My dating by and large was with the girls in my confirmation class. The girls and boys in my religious school became my social acquaintances. My horsing-around acquaintances, my playing-in-the-neighborhood acquaintances were different. They were the people who lived in the neighborhood. And none of them was Jewish. I had almost two separate lives; social life and religious life were separated from the fraternization, the horsing around, and the sporting life of the neighborhood where I grew up. As a result, I have totally lost touch with all of the kids that I went to school with in the early years.

Most other kids didn't experience that bifurcation that existed in my life. They played with the same kids that they went to religious school with. Although I had few anti-semitic confrontations, a pattern existed within the Jewish community and the Gentile community in Nashville. When kids started the kind of socializing which might lead to marriage, the elders generally didn't believe that one ought to risk the danger that you might fall in love and end up with — horror of horrors — intermarriage. That's the way things were in Nashville, and, I suspect, in lots of places other than Nashville during that period.

Q: Well, do you think that there may have been a benefit to your later life from having not been in a kind of segregated Jewish community?

A: Yes. There was a certain benefit. I have tended not to be in the mainstream, and that's true in the legislature, too. In other words, I was always peripherally looking in. I never committed myself totally to being part of the group, with the discipline that becomes part of being in a group. I always maintained my individuality, my apartness, which gave me, I think, an objectivity, an ability to see the other side that I might not have otherwise had. Whenever a situation arose, I could always see the other side immediately. It's a

mental faculty that I developed. It made me a social critic, and it also made me more skeptical of some of the things that other people accepted. For example, racial discrimination. These racial patterns that I described earlier were totally accepted, certainly in the mainstream of the gentile community and even in the Jewish community, whereas I was always critical. I was always a loner in that sense. I would never agree that it was right to do the things that I saw going on. And so I think that I became more discerning about our social patterns. I hadn't thought about it, but that kind of background may very well have contributed to the stance that I have always tried to take, in which I try to see things from the other point of view. It is exemplified in a cartoon from his strip, "The Small Society," that my friend, Morrie Brickman, inscribed to me, which hangs in my office. A woman is shaking her fist at the central character as she says angrily, "Must you see everything in the cold, clear light of reason?" An inscription that appears over the door at the rear of the courtroom of the Illinois Supreme Court sends a message I like: "Hear the other side."

Q: Did you sense any resentment against the situation when you were a child of grade school age?

A: You'll have to define what you're talking about.

Q: Yes, did you feel that you would like to be more a part of the group that you were in sport with, and in school with, and that sort of thing?

A: There were some things in me that did want me to be more a part. There's no doubt about that. I just suddenly thought of an episode in which I — I was the butt of somebody's humor. I was invited to a party supposedly. I remember going and I remember my pangs of embarrassment over the fact that — when I discovered that somebody had. . . . Well, when I got there — it was a gentile home — there was no party and I'd just been invited as a prank. It was the sort of an episode that points up that I was not being totally accepted socially and that I did feel uncomfortable about it. I knew that I was not welcome in certain kinds of social situations and I think that it did cause some discomfort. On the other hand, in terms of just playing with the kids in the neighborhood, I had a good time, and they did accept me. However, in social — particularly, dating — situations lines of demarcation both in the Jewish and the non-Jewish community were absolute. They existed at that time, and they persisted throughout my school years in Nashville.

Q: How far was the synagogue from your home?

A: It was in the center of the city. I used to go by bus. We would go during the weekend. On Saturday we would go to the Sabbath School, and we would sometimes go once a week in addition. My family often attended religious services on Friday night. It was a closely-knit Jewish community. Everybody participated in the synagogue, and, in many ways, it became a center of life. It was the center of social life. My friends and my parents' friends were all part of the congregation. When you don't have churches like that, the social relationships are totally different. Most of my family and childhood close relationships were with people who were, in some way or another, connected with that synagogue.

Q: Did you ever feel that you would like to live closer to the area in which the Jewish community was living?

A: I did feel that, but it was a more expensive community and my parents couldn't afford to live there. There was some advantage to being near the store because the hours were very long. I felt a certain loneliness in not being with the people I would see in the synagogue. To me, it seemed unfair; they could be together all of the time, and I could be with them only on Saturday in religious school, or when we went to a party.



## SESSION 1, TAPE 2, SIDE 1

Q: When did you start participating in the activities of the store? Did you sweep out and that sort of thing at an early age?

A: In general, I have no recollection of contributing anything of very much use in the store. Beginning in high school, I worked part-time for years as a shoe salesman at the Chandler Store in Nashville to earn money. But you're not going to hear a story about how I displayed this marked ability at an early age in business and then went on to become a great tycoon. It never worked out that way. I had no ability, and I never amounted to anything in the business world, nor did I ever have any interest in the business world.

Q: How did you come to get the job in the shoe store?

A: In Nashville, Saturday is the great day of business. All of the ladies come downtown to shop. Well, the regular force cannot take care of that many people, and so they hire salesmen to work on an occasional basis. When I was in my upper teens I went in and got a job as a salesman and continued to do it for many, many years.

Q: You have that in common with Elbert Smith then. He was in habberdashery, I think, in high school.

A: He probably did it better than I.

Q: Let's see now, you would have started to high school about what year?

A: That would have been about 1935. I graduated in 1939. I went to a school in the center of the city called Hume-Fogg High School for my first year. Then I attended another school, West End High School, for my last three years.

Q: How was high school different from your grade school?

A: I began my consuming interest in journalism. In high school we had the school paper, and that was a great source of interest for me. In fact, from that point on I always devoted lots of time both in high school and college to working on the school newspaper. The intellectual level of the high school was far better. We read Shakespeare. There were substantial kinds of intellectual endeavors. I also got involved in school politics. We would have our contests for school officers, and I became somewhat of a politician.

Q: What was the first office you ran for?

A: I was the campaign manager. I was particularly good at arranging campaigns and doing the publicity in campaigns, and selecting somebody that I thought ought to be the president. I did not aspire to leadership. I decided that it was better that I stay in the background and do the work to get other people elected.

Q: Why do you think that developed as a way of handling things?

A: I suspect that I didn't view myself as being Mister Popularity. I didn't carry with me that boundless self-confidence, that charm and overwhelming personality that would propel me into the presidency of the student body. I didn't think I had those qualities, and I thought then and think now that my judgment was probably quite sound. On the other hand, I wanted to test the waters. I wanted to get involved in politics without exposing myself to the possible embarrassment of losing.

Q: Do you recall another individual that you worked with?



A: I recall acting as manager for a controversial fellow. We got involved in a tremendous contest, and I became the subject of controversy, too, as his campaign manager. I don't know that I helped him very much. I have some notion that we had quite a fracas. The other side was very envious of something I had done for this fellow. And they proceeded to corner me in some room. And as they held me down, somebody took my pants off and they tossed them up the nearest tree. One of my teachers was looking out the window of her classroom. She later told me of her surprise when she looked up and saw a pair of pants hanging from the top of the tree. I can tell you that the event was an even greater surprise to me than to her.

I assume that was intended to be good fun. I didn't view it as good fun at the time, but I think it was readily apparent that if, as campaign manager, I could be exposed in that undignified manner gosh knows what evil could befall me if I actually became the candidate.

Q: Did your candidate win?

A: Yes, my candidate did win. And that was the reason why I was treated in that ungentlemanly manner. In any event, I did get an introduction to intellectual activities in high school. And there were some good teachers.

Q: Did you have any problem getting into journalism in high school?

A: No, I became very active on the high school newspaper. And I gravitated toward the editorship. As a matter of fact, I had one experience that was useful to me. Northwestern University has what's called the Cherub Program. It's the national institute for high school students. They bring high school students to Northwestern during the summer to give them specialized training in different fields, such as drama and journalism. The field that particularly interested me was journalism. I spent one summer at Medill School of Journalism at Northwestern, and went through a simulated course in journalism.

We would be thrown into a newsroom. All of a sudden, over the loudspeaker, somebody would call and give us a story. "I'm out here and this is taking place on this-and-this street corner." And we would be instructed, "The deadline is in forty minutes." And we would have to type up the story. As we were feverishly doing that, over the loudspeaker comes another call from the fellow, who says, "Oh, I'm terribly sorry but I've just discovered something else. I made a ghastly mistake." And then we would have to rewrite the story under great pressure. It was an invaluable training period.

I learned a great deal about journalism there. And we would have courses in the evening in which people would lecture to us. This experience later helped me a great deal in editing my high school newspaper, the West Wind. We used to say that the combined circulation of the West Wind and the Saturday Evening Post was over four million copies a week. Well, since then the Saturday Evening Post closed down for a while, but the West Wind is still being published — I hope!

Q: Well! (chuckles) How did you come to be selected to come to the Northwestern course?

A: I applied for attendance after my junior year in high school, and they selected me. The experience I had at Medill was absolutely invaluable to me in my political career. I could write press releases with the best of them. And that was grounded in those five intensive weeks I spent at Medill. I was one of a few students offered a scholarship to attend Northwestern after graduation. It would have covered half of my tuition. My parents were not able to afford even that much, so I stayed in Nashville and went to Vanderbilt.

Q: Well, as editor of the West Wind, did you have any problem running the administration or handling the reporters?

A: No.

Q: There must have been some people who didn't quite go along with the editor on things.

A: That came later, at Vanderbilt. But at the West Wind we had no problems. It was a modest little publication. The editors did most of the work. And I was a tireless worker, and at some point I had had a typing course that was invaluable to me, too.

Q: Did you get involved with organized sports in any way in high school?

A: Yes. I was on the tennis team. We won the city championship, as a matter of fact. I was not one of the top players. On tennis teams usually you would have five or six players who would play against five or six players from another school. The number one seed would play against the number one on the other. I was always down near the bottom, number five, number six. But in the big championship encounter I won my match. I was very proud of myself, and it was a lot of fun. That was the only interscholastic sport that I played. And other than that, I would just play touch football, softball. I was not the bruiser type and I didn't get involved in heavy contact sports at the high school level. When I was a kid we used to play tackle football. Fortunately, no broken bones, but I learned that football was not for me. Although I was over six feet, I was always very thin, not equipped for serious football.

Q: What about track in high school, did you get involved with that?

A: I did some track, but not on the school team. At the Y, we once had a decathlon, which is a wide variety of field events, and I managed to do very well. I won it as a matter of fact that time. But I was not good enough for high school competition. I was okay among a selected group of my peers who were at the Y, but at the high school level the only thing that I could compete in was tennis.

Q: What about debate? Were you on a debate team in high school, by any chance?

A: We didn't have a debate team in high school. I did some debating a little later, in college. I was rather forensically inclined in high school. I could speak up in class, and that kind of thing.

Q: Did you have speech training in high school?

A: I don't believe that we had any speech training in high school. I have no recollection of that until a little later, when I entered college and did a little of that.

Q: Was there anything in the high school years that you wished you had taken or you wished had been available to you?

A: You mentioned speech. That certainly would have been useful. The education that we were given was a fair, basic education. It did not have a lot of frill courses. I've always been a believer in basic education. I could have taken advantage of it more. Obviously, who couldn't? It was a little slanted. We don't talk about the Civil War in quite the same way in the South that we do in the North. In the South, it was the War for the Right of Secession. It was not a war for the preservation of slavery. It was simply a war that the South fought to have the right to determine its own destiny. And that's the way we learned about it in the history books in the South.

Q: What about social activities in high school? Did that remain much the same as the situation you had earlier in grade school?

A: It remained much the same, yes. However, by the time I reached high school some of the same kids I socialized with through the synagogue and religious activities were now my

classmates. That made life easier for me. But I did not have any serious relationships during that period with any young women. I didn't have any steady girl who was steady very long, anyway. That came later in life.

Q: What about activities such as — is the State Fair at Nashville?

A: Oh, yes. There's a state fair.

Q: Did you attend?

A: Yes. As a matter of fact, my parents' store was very close to the fairgrounds. We could even look out and see the chute-the-chute that could scare the daylight out of you. I would go over to the fairgrounds but it was not my cup of tea. I was not basically that interested in seeing the animals being displayed, which is a favorite activity at fairgrounds. I was urbanized. It may have been better if I had been less so, but the usual activities of the fairground never captured my imagination. I once had a dog. Also, I loved cats. And that was about the limit of my relationship with the animal world.

Q: I see. Had you any aspirations to become an artist at any time along the line?

A: No. I had no particular artistic talent. I did aspire to be a journalist. I also had some aspirations that I might want to go into government. But I never felt that I was going to be an artist, unless one considers journalism an art. And I doubt if we do, in the sense we're using the term here.

Q: How about musical training? Did you learn the trumpet or play the piano?

A: No. I should have, but I didn't. The truth of the matter was that my parents gave my older brother lessons in violin, and my sister piano, but never did that for me. Probably it was because of the Great Depression. They didn't have money to put into music lessons for me. However, I don't think that any great musical genius was untapped.

Q: I see. (chuckles) How about traveling?

A: A little traveling. I would go to summer camp occasionally. I remember going to a YMCA [Young Men's Christian Association] summer camp in Arkansas once. My parents were not travelers. My father worked very hard. The nature of a store is a little like animal husbandry. Animals are very demanding. You can't go away. You have to always be there to milk the cow. The store was the same way. They didn't have help in the store, and they couldn't close down. Unheard of! So we did not travel around very much. Occasionally, after my brother went to Washington, I would visit him.

Q: What do you recall of that experience?

A: My experiences with my brother in Washington came a little later, during my college days. My brother worked all day and studied and went to school in the evening. I missed him a great deal.

Q: Did you get to the Hermitage? Isn't that near there?

A: Oh, yes. The Hermitage is in Nashville and I was always excited by Andrew Jackson. However, I was more concerned with the economic problems of the country in the 1930's, rather than the historical periods. I was very troubled by the unemployment, the poverty, and the malnutrition that was all over the place. There is nothing comparable today in our country. There were no public assistance programs. People just had to make do.



Q: Was there any WPA [Works Progress Administration] work provided?

A: Yes, there was some WPA-type work. But there was no unemployment compensation. People who were laid off were really off. It was a different world then. We have grown used to a society where we have a lot of protections that we take for granted; that didn't always exist. We don't appreciate the extent to which the society has tried to protect people from vicissitudes that were commonplace when I was growing up. There was no "safety net" when the Great Depression struck.

Q: What was your father's impression of Roosevelt?

A: My father was captivated by Roosevelt. He was, and so was I. I remember the day that Roosevelt died. It was like losing a father. I really idolized him. He was the president for so long, if you stop to consider that now we are in a period where the presidencies have usually lasted four years. He was elected president four terms. Growing up, I never knew a president other than Roosevelt. And he was an enormous influence. I remember once going up to Knoxville when he visited there and I was so excited to see him. He was in a car that was driving down the main street of Knoxville.

Q: So you actually saw him then?

A: Oh, yes, indeed, I did see him. I could almost have reached out and touched him. His influence on TVA [Tennessee Valley Authority] made him particularly a hero in my area. TVA was very important in the development of the Tennessee Valley. I thought the world began and the sun rose with Franklin Roosevelt.

Q: And this was your father's sentiment, also?

A: My father's, and everybody's. All the people that I knew were enamored of Roosevelt. We didn't know a lot of wealthy people. I'm sure that there were Roosevelt haters among the wealthy. But among the people that I knew, Roosevelt was a father figure, the like of which I have not encountered in my lifetime.

## SESSION 1, TAPE 2, SIDE 2

Q: The political methods of the United States as opposed to Europe must have been new to your father?

A: Well, that's true. He had at least as much appreciation of our country as most Americans do, I would say. He was not oriented as my brother was into the governmental process. He did not have any sophistication as to what Congress was doing and what the president was proposing. He did have a great sympathy for the New Deal and for what the president was trying to do in turning the country around. He was not a political aficionado in any way, but he loved America dearly — all the more so because of what he had seen in Russia as a boy.

Q: He did express himself as a Democrat.

A: Oh, yes, he was absolutely a Democrat. He and my mother were both Democrats. There was never any question about that.

Q: Was your mother interested in political matters?

A: She was more intellectually interested than my father. And she would try to push me into intellectual kinds of activities. She attended night school. She educated herself while my father did not. My father was perhaps a little skeptical of some of my rather radical



ideas. The notion that one could take serious offense at the treatment of blacks was something that not very many people in the South would accept. While my father had no particular prejudice, he would have been just as happy if I didn't speak up on racial issues. He was a merchant, and he was catering to everybody in the neighborhood who would come to the store. He didn't want to offend anybody. Some of my views would have offended them.

Q: Did you have family discussions at dinner that tended toward politics?

A: Whether in the store or selling insurance, my father worked very long hours. The circumstances were difficult. There was no forty-hour week in the life in which he lived. When he went into the insurance business, he was successful because he worked at it. He could speak English but it was very clear that it was a greenhorn speaking. He had to work very hard to succeed. He was working at night trying to see people to sell insurance, trying to make a little more money here and there to carry us through the Depression. I don't have recollections of stimulating family discussions going on at dinnertime.

Q: How about local politics in the Nashville area like the governor and the legislature and the city elections? Did you become involved or interested in those?

A: No, I didn't. There was a friend of the family's, a lawyer named Baxter Cato, and he was active in public life. He was on the school board. My family used him as a lawyer when they had serious economic problems in the business. I don't know how they first met Mr. Cato. He was a very fine gentleman, and he made me admire lawyers. He was the only professional person that we ever knew in a personal way. And, of all of my cousins, none of them during that period were going to college. The children of Maurice and Evelyn were oriented in a way that the other members of the family were not in terms of higher education. I attribute that to my mother who encouraged us.

I did not get involved in local politics at the state level. There would be mayors' races, and I would remember the names of this mayor or that mayor. But my father, being business oriented, was not interested in getting involved in controversy.

Q: Did you know a local precinct captain or whatever they were called there?

A: They didn't have them. It was not like Chicago. We had no contacts with political people. I never recall any person coming around to try to get us to support this candidate or that candidate. In the area in which we lived and in the city in which we lived it didn't work that way. I suspect that the mayor's election was probably nonpartisan. There was not the political fragmentation that occurred subsequently. The notion that Tennessee would elect a Republican senator or a Republican governor was unheard of during that period. We were all Democrats.

Q: Yes. And that's changed somewhat.

A: Oh yes, it has, indeed it has. The majority leader of the Senate, Senator Baker, is from Tennessee.

Q: Howard Baker.

A: So it's changed a great deal.

Q: Of course, he's assisted by having a wife from Illinois. That helps.

A: That's right; she is the daughter of a very distinguished Illinoisan.

Q: I'd like to stick to the 1930's for a bit yet. What did you think of the big city when you arrived in Chicago for the journalism course at Northwestern?

A: I was impressed with its size. It was so much bigger than Nashville. On the other hand Nashville was a city, too. It was not a small town. It was perhaps more like Springfield, I'll put it that way. My recollections are of the magnificence of the campus of Northwestern University situated there on Lake Michigan. It was my first exposure to Lake Michigan — what an overwhelming sight for a boy who grew up in Nashville!

Q: How long was the course?

A: The course lasted for five weeks. It was very intense, full of actual experience in journalism. I almost became a journalist.

Q: I was wondering if it had an influence in that direction.

A: Yes. Yes it did. I came very close to following a career in journalism. But for a minor episode that occurred later, I might have been a journalist.

The Northwestern course was the first of several experiences that I had at summer activities where students from all over the country were gathered. I had several such occasions in succeeding summers that were educational for me.

Q: Was this during your high school years?

A: Most of them occurred during the early part of my college years. But the period at Northwestern was toward the end of my high school years. So they came very close, one to the other. For example, I attended a work camp in Pennsylvania one summer where we built a road up a mountain. It was sponsored by a group called the International Student Service. I spent another summer at the Roosevelt Home in Campobello, New Brunswick.

Q: Now this was an international group, you say, that built the road?

A: Well it was called the International Student Service, but the group was all from the United States. It was a group under the aegis of Mrs. Roosevelt and some of the other members of the liberal establishment, and they simply chose that name. Max Lerner I remember was one of the sponsors. My parents had been rather suspicious of my going; they were looking at the names of the people there and along came Max Lerner. They wanted to know who that was. Well, of course, I knew who Professor Lerner was. He was one of the great liberal thinkers of the time. But I explained to my parents that he was the head of Lerner Stores, a national chain of millinery stores with a Nashville outlet. So my parents were duly impressed by Lerner, and that's one of the factors I think that entered into their letting me go off to Pennsylvania, and then to Campobello.

Q: How did you get associated with this group?

A: The South was not a hotbed of liberalism during that period. I was always interested in political ideas. I was very absorbed in the problems of the South, the racial problems, the economic problems. I read a great deal. I read the liberal journals regularly, and in some way I applied for the opportunity of going to the summer camps. They grabbed me, probably because they had no other applicants from the South. There were no others at the camp. Northern liberals looked at the South with . . . oh, some feeling of paternalism, if that's the word. They felt it was their mission to save the South. And so here was a real, live southern boy, who attended Vanderbilt, a fine, genuine southern conservative school. What a place to find a liberal thinker! And so I applied, and was immediately accepted on both occasions.

Q: Were there individuals there at the school who influenced you in that direction?

A: I had several faculty friends who influenced me, though none of them influenced me into those particular activities. I learned about liberal activities through my reading of the Nation and the New Republic, which I read with religious fervor when I was in college. I ran across announcements and once you get on the mailing list — one of the great things about the period of the early 1940's was getting on mailing lists — once you got on mailing lists, there was almost no getting off of mailing lists. In fact, the whole McCarthy period really was built around mailing lists. That was a little later.

Once I got on a mailing list that I didn't want to be on, one of the radical mailing lists. I found myself receiving a Communist journal, the Chicago Star. And I didn't know how I was going to get out of that. The McCarthy period had started. I knew if I called they wouldn't take me off the list. They just wouldn't do that. So I sent in a change of address to a fictitious location. I figured I would be lost; and indeed I was. That's probably the reason I didn't end up on some of the McCarthy lists. I had the foresight to forward my subscription to the Chicago Star to some godforsaken place that was never located or associated with me and my subsequent life. Such lists could plague you, particularly if you sought public employment. Anyway, back to Northwestern.

Q: Well, one of the questions I had was whether you had any family or relation or friends in Chicago at that time and you evidently did not.

A: No, I didn't at that time. But very soon thereafter my sister came to Chicago.

Q: Did she come here to work?

A: Yes, she came here to work, and she got married and she stayed, and I was like the man who came to dinner. I came to a seminar that was being given at the University of Chicago in labor education in 1943. Due to the events that occurred I ended up staying. As I told you, I had a great interest in journalism. And I came to the seminar at the University, and I remember walking into a meeting at Ida Noyes Hall. It was an evening meeting, and there was a discussion going on in which the speaker was talking about the Chicago Sun and Marshall Field, a subject of great interest at that point. Marshall Field was founding the Sun to compete against the Tribune, then published by an unreconstructed reactionary, Colonel McCormick, who was a militant isolationist during that period.

And so I found myself in a room with a lot of the people from my seminar group. Soon I was sharply disagreeing with the speaker on some of the things that he was saying. Afterwards, walking out of there, I said to the person next to me, "Say, who was that fellow?" And he said, "Well, that's Milton Mayer." I suddenly thought, "Milton Mayer! Assistant to Robert Maynard Hutchins, the chancellor, and himself the author of a series of three articles in the New Republic on the subject of the Field family, and the Chicago Sun." And I hurried my walk and I went up to him and said, "Mr. Mayer, I want to apologize to you. When I was disagreeing with you there, I wasn't aware of who you were, that you were the authority on this particular subject. I am terribly embarrassed over what I've done." He said, "Why don't you come around and see me tomorrow. I'd like to talk to you."

So I went around to his office, and he asked me what I wanted to do. I said, "I would like to be a journalist." He said, "Why don't you go see my friend, Sydney Harris. He's a dear friend of mine. He's at the Chicago Daily News. Go down and tell him that I sent you, and maybe he can help you get a job."

And so here I was, fresh from Nashville. I went to see Sydney Harris, who was then writing a column for the Chicago Daily News, not the syndicated column that now appears all over the country, but a local column. I told him of my great interest in journalism, and what



Mr. Mayer had told me, and he said, "Why don't you call my friend, Lloyd Wendt, who is the editor of the Chicago American? You just tell him I told you to call." You can see how the old-boy network operates in this field.

So the next day, I called Mr. Lloyd Wendt from downtown in Chicago, and I explained to him that I had an interest in journalism and that Mr. Sydney Harris had recommended that I telephone him. "As a matter of fact," he said, "we do happen to have an opening. Why don't you come over to see me immediately?" And I said naively, "Where are you located?" And he said, "I'm over here at the Herald American Building," which was on Wacker and Madison. And I said, "Well . . . how do I get there?" He said, "Where are you, young man?" I said, "In the Esquire Restaurant," which at that time was on the corner of Dearborn and Monroe. "Young man," he said, "if you can't find your way from the Esquire Restaurant to the Herald American, you won't do me much good as a reporter." He slammed the phone down, and thus ended my career as a journalist.

Q: (laughter) You never got to him then?

A: That's right. I never again attempted to get a job as a journalist. Instead, I pursued my other activities in the field of labor relations.

Q: Yes, sir. Well let's see now. Then your interest must still have been toward the journalism field while you were at Vanderbilt. Is that correct?

A: Oh, indeed it was. And I was an energetic young journalist on the Vanderbilt Hustler, as it was called. I used to write a column for it and was well on my way to becoming the editor-in-chief. I became the managing editor of the Vanderbilt Hustler in my second year, an attainment usually reserved for juniors. And then at the beginning of the third year I was running things. I used to enjoy writing satire, and I wrote a piece on James G. Stahlman, a member of the board of trustees of Vanderbilt and a publisher of the Nashville Banner, a big metropolitan newspaper. He used to write a column called "From the Shoulder," and he would break up sentences by creating three paragraphs out of one sentence to lend a dynamic quality to the writing. This column would appear on the front page of the Nashville Banner. So, in the very first issue of the Hustler I wrote a satire on his column. Mr. Stahlman was always invited by Pan American Airlines to every new route they opened throughout the world. Then, upon his return, he would always write about it in his inimitable style. So, I wrote a satire in which someone with a name suspiciously similar to James G. Stahlman was invited by Pan American Airways on its maiden flight over Richland Creek, a little creek about twenty feet wide that meandered through the local golf course. It was one of my better bits of writing. But it did not sit well.

Thereafter, the recommendation of the outgoing editor that I be moved up from managing editor of the Vanderbilt Hustler to editor-in-chief was rejected by the Publication Board without giving me a hearing. I did continue to write, but the extent of my public recognition was an item that appeared on the bulletin board in the office of the local competing newspaper, the Nashville Tennessean. Some wag purported to nominate me for the Pulitzer Prize for distinguished service to journalism. It seems that soon after my satire appeared, Mr. Stahlman ceased writing his column — for a while, at least! Of the edition in which the actual column appeared in the Vanderbilt Hustler, a few copies remained. When it first appeared, university authorities systematically confiscated the newspaper. Nowadays a student would go to the American Civil Liberties Union, and there would have been a lawsuit filed in federal court. But in those days suppression was no trouble; they could pick up all the copies of the paper and destroy them.

Q. The administration at Vanderbilt?

A: Yes, the administration. Officially, the Hustler was run by a Publication Board appointed by the chancellor, and it was this group that, shall we say, chilled my First



Amendment rights. Except for this episode, publication of the paper was done entirely by students.

Q: Did you take any action at all in regard to that?

A: No, I didn't. There was nothing that I could do. I had a few episodes that indicated that I had some maturing to do. In retrospect, maybe I was a little hard on the old boy. It's perfectly possible. It certainly wasn't very politic; it was quite predictable that if I used the campus newspaper to satirize the most important man on the board of trustees that something untoward might befall me, and indeed it did.

Q: But nothing happened other than the fact that you didn't become chief editor.

A: No, nothing else happened, but that was a blow to me. During that period I was a critic of the system. I was skeptical of those whom I thought had compromised their honesty and integrity.

Another little episode occurred. I was a major in economics at Vanderbilt. One faculty member, viewed by liberals as the darling of the Tennessee Manufacturers Association, was Gus Dyer, who taught the course in the department on money and banking. I was indignant about what I saw as the prostitution of his professional abilities to commercial interests, and I would never enroll in a course with Professor Dyer. I never had a conversation with Professor Dyer. But I was a good economics student, and won the prize in economics at Vanderbilt. Just before I was to graduate there was a tea in the economics department. Professor Dyer walked over to me and said, "Mr. Katz," — I didn't even know he knew who I was — he said, "Mr. Katz, I want to tell you that I always deeply regretted that you never registered for a course of mine. I would have liked to have had you as a student." I felt like shrinking into the nearest hole. I thought how arrogant and bigoted I had been, and at the expense of my own education which was deficient, since I never had a course in money and banking. Some of those episodes did make me aware that I had some qualities of arrogance that needed tempering. I could be very undemocratic, even while I was professing great adherence to democratic ideology.

Q: So he actually did a pretty good job of instructing then, in at least one phase of it.

A: He did. I would say that at that tea I probably learned more than I would have learned if I had taken his course in money and banking.

Q: Well, how did you come to decide on economics as a major there?

A: It was rather a natural one for me. I always was a great admirer of my brother, and he went into economics, and I was following in his footsteps. In addition, it seemed to tie in well with my interests in alleviating the problems of the world. I was very interested in trying to correct injustice.

During the period when I was at Vanderbilt there were no interracial meetings being held in Nashville. One day a couple of us in a group that studied and tried to promote liberal causes sat around talking about the fact that there were no interracial meetings. I'm not sure which one of us made the suggestion, but one of us said, "This is terrible. Why don't we have an interracial meeting in Nashville, a public interracial meeting in Nashville? Let's prove it can be done."

And how were we going to have such a meeting? We decided that we had to have a person who would attract a large audience. I used to listen to Paul Robeson records — "Ballad for Americans" and "Old Man River" and all of his wonderful songs. And I said, "Why don't we invite Paul Robeson?" And somebody said, "But we don't have any money." And I said, "Well, you won't have to have money with Paul Robeson. He will do it because he believes

in promoting interracialism.” We made a telephone call to Mr. Robeson and talked to his manager. We said who we were, just students, and said, “We would like to hold this meeting in Nashville. And we would like Mr. Robeson to come and give a concert.” And the manager said, “You understand that Mr. Robeson charges lots of money for a concert appearance?” And I said, “Yes, but this is for a good cause that Mr. Robeson must believe in. Would you talk to Mr. Robeson and see if he would donate his time? We will make all the arrangements for the meeting. All he will have to do is appear in the concert.” Shortly thereafter came a telephone call from the manager of Mr. Robeson, “Mr. Robeson will indeed be willing to come without charge and pay his own expenses to appear at a meeting of the character you describe if you set up the meeting.”

We went down to the War Memorial Auditorium, a large public auditorium owned by the state of Tennessee in Nashville, and we rented the auditorium. We announced that on such-and-such a day the great American singer, Paul Robeson, would be appearing and would be in concert and that there would be no charge. There was no TV then.

## SESSION 2, TAPE 3, SIDE 2

A: The town turned out. We were the ushers and we sat everybody together. There was no segregation. So here you have the whole War Memorial Auditorium unsegregated, the first such unsegregated public meeting held, at least, since reconstruction days. We were ecstatic. Mr. Robeson was absolutely magnificent and sang the first half of his concert. We, the sponsors, felt we were making an enormous contribution to the cause of racial justice in Nashville.

We wondered what was going to happen after the intermission. But the intermission came and lo and behold everybody went back to the seats they left, whether they were sitting next to a black or to a white. There was no segregation among the audience. We breathed a sigh of relief.

But we breathed our sigh of relief too early because as the second half of the concert began, Paul Robeson stepped forward to the microphone and said, “I hope you won’t mind if I say a few words.” Well, our hearts sank. We didn’t know what he was going to do or say. He told this large audience including many of the prominent people of Nashville that he had just come up on the train from the South, and as he went through Atlanta he thought of that stout defender of human freedom, Earl Browder, in the federal penitentiary in Atlanta — Earl Browder, the notorious general secretary of the American Communist Party, in prison in Atlanta! To advance a Communist objective, Paul Robeson had contaminated our meeting designed to promote racial justice. He exhorted the audience to write to President Roosevelt and urge him to pardon Earl Browder.

Q: Where were you at the time he stepped forward? Were you there?

A: We were ushering; we were just standing in the back. He didn’t ask us. We were totally taken by surprise. We were flabbergasted. There was nothing we could do.

Q: I imagine that you started looking closely to the audience to see the reaction. What was the reaction?

A: There was silence, not a word said. Everybody stayed for the second half of the concert. Nobody left. Robeson had a magnificent voice.

We thought that the good of the meeting was undone by that single episode that lasted no more than three or four minutes. We knew that the audience put two and two together. But there was nothing we could do about it. I did learn that once you have the microphone

you can say what you want to say. That's a lesson I didn't forget when I went through life. The whole episode was an important chapter in my education.

Q: Was there a reaction in the press, the local press, to the situation?

A: No, it was not picked up by the press. It was just one of those little events that happens quickly and is over with. Obviously, no one would be surprised that Paul Robeson would want people to write the president to release Earl Browder from the federal penitentiary. Everybody knew, and we knew, that he was a Communist. We simply felt, however, that he would not intrude his political ideology into a concert, particularly a concert that was really designed — and he knew it — to promote racial equality in the city of Nashville.

Q: Was there any reaction in the faculty, in the administration, to this?

A: No. The faculty had nothing to do with it. This was something that we did as individuals. It was to be our contribution to the good of mankind. It was a funny episode, I guess, in retrospect, but at the time we were crushed by it.

Q: Now, when you say we, what kind of a group was this? Was it a dozen people or . . .

A: No, a half a dozen people, a few kids on campus of liberal persuasion. There weren't very many of us who believed in racial justice, who believed in the labor movement, who believed in the New Deal, who were devoted to Franklin Roosevelt. There weren't many people on our campus who would have met those tests.

Q: Did you dignify the group with a name of any sort?

A: No, we didn't. We had little groups. We once went on the radio. The program had teams that would compete against each other. There was a moderator who asked questions, the format has been used on other television and radio programs. We could remain on the program, accumulating money, as long as we continued to win. We called ourselves the Belmont Chess Club. Belmont was the area where I lived, and chess was a game that I liked. We managed quite successfully for many, many weeks. They finally threw us off the program to get some variety. But we picked up a lot of money. This was a totally informal group of friends who did things together. But we were not organized.

Q: And there was no one on the faculty who joined you in your discussions?

A: No. I don't remember any faculty member who shared all of the ideologies that I just mentioned. There were some who had some modicum of liberalism. But in those days there weren't very many people at Vanderbilt who were interracially inclined. There was a black university in town, Fisk University. And east was east, and west was west, and never the twain did meet. Now, I actually had a friend who was on the faculty at Fisk, a white faculty member at Fisk. He shared some of those feelings, but the professors I knew at Vanderbilt — and I had some good professors — didn't get involved in the kinds of racial and labor interests that these students had.

Q: How did you get along in class? Did you participate considerably in raising issues or discussing things?

A: Yes, I did. I raised issues. The chairman of the economics department, Van Sickle, John Van Sickle, was a friend. I remember one episode with Van Sickle, who was very sophisticated. He was not a southern bourbon type at all. He once had visiting him the distinguished anthropologist, Malinowski. Now, as a student, I knew Malinowski's name, not because I had any great interest in anthropology, but as you walked through the stacks of the Vanderbilt library, which I did a good deal, at eye level, as you turned one corner, you saw the book, Malinowski, Sex Life Among the Savages. So there was hardly a student who



went back in the stacks who had not pulled out Malinowski's book and perused it; we all knew his name. The faculty invited him for a weekend of intellectual discussion, as faculties sometimes do.

Van Sickle, my good friend, told me about one episode in the weekend that I will never forget. He told me that Malinowski had stayed with him and that in the course of the visit Malinowski had told Van Sickle about his Polish background, and how . . . anti-semitic Poland's society was. And he told Van Sickle that even though he, Malinowski, had spent a lifetime studying anthropology and he guessed he knew as much about it as anybody, that he still could not shake the anti-semitism that he had picked up, growing up in Poland. I can never forget that even the great Malinowski was still a prisoner of his childhood religious prejudices; even though he might intellectually overcome them, he could never change his feelings.

Q: Did you find any anti-semitism there on the campus?

A: It was very subdued. I did not find rampant anti-semitism on the campus. There was not interracial or even much interreligious dating; it was not the modern era, where distinctions of religion and race have diminished in importance. Two of my four children are married and — with their parents' blessings — neither within the Jewish faith. Now that was totally foreign to the situation at Vanderbilt. My group was a little different, my very small group. There were no blacks at Vanderbilt, but there were religious differences. We had not yet liberated ourselves enough to reach out to the students at Fisk.

I did not date very many non-Jewish girls. I did date a few, who shared my ideology. But there were Jewish fraternities and non-Jewish fraternities. I was rushed for the Jewish fraternity. I will never forget the episode that occurred when I went for the rush at the Jewish fraternity, the AEPi [Alpha Epsilon Pi]. They were trying to interest us in joining the fraternity. One of their members who was in the medical school hypnotized one of the prospective pledges at the fraternity house. It was quite an event to see somebody being hypnotized. The hypnotist gave the subject a post-hypnotic suggestion, and after he woke him up, the fellow went some other place and came back, exactly as the post-hypnotic suggestion had been given.

I went to a party that night and when a lull occurred I decided that I would try out hypnosis. And I got some girl to lie on the couch, and I took her ring off and using it to focus her attention exactly as the medical student had done, I hypnotized her. The strongest man there could not bend her arm. It was extraordinary. Then I tried to wake her up, but she didn't wake up. I was petrified that I had started something that I couldn't finish. Fortunately, a few moments later she woke up, and that's the last time I ever hypnotized anybody, and it was the last thing I had to do with that fraternity.

I didn't join a fraternity. I became an independent at Vanderbilt. What I'm really trying to say is, I was basically an independent by nature, and my lifestyle remained that way at Vanderbilt. I remained on the fringes of the major groups.

There were some fine faculty members, as I have indicated. I worked for one faculty member who was an historian, Earl Fee Cruikshank. There was another professor who impressed me, D. F. Fleming, a great authority on the League of Nations. He believed in international cooperation. There was a faculty member, Dr. Edwin Mims, the chairman of the English department, who taught freshman English. He was a wonderful man, who must have been in his eighties then. He made us memorize line after line after line of poetry. I know that memorizing is no longer in vogue but the pleasure that I have had over the years in remembering the poetry that Dr. Mims forced us to memorize has been extraordinary. And he forced us, he would embarrass us; you just had to do it. That was your assignment. He was not the modern kind of faculty member who lets you do what you want. The truth of the matter is that he did know better than we knew what was good for us. I benefited

greatly from the fact that he was a disciplinarian, and the fact that he forced us to do things that we didn't want to do and otherwise wouldn't have done. Dr. Mims definitely influenced my feelings about permissiveness, in both education and child raising. Incidentally, I proposed to my wife by quoting to her a Shakespearian sonnet that Dr. Mims required us to memorize.

Q: Were there other courses that you took that were training the mind, such as mathematics or . . .

A: Oh, yes. I took mathematics and logic. I took a general liberal arts education. And I had a good education. They taught English composition and grammar in those days. Colleges are getting back to the kind of education that I had at Vanderbilt, where we would turn in paper after paper after paper, and they would come back torn apart by the professor. When my younger son went to Earlham, he would turn in papers, and I would visit there and see the papers returned from a particular faculty member. And I would say, "This is a faculty member?" The grammar would not be corrected; even misspelled words would not be corrected. I was appalled. When I went down for parents' weekend, I actually had a conversation with the faculty person, who said that correcting grammar and spelling was not his role. He said, "This is a university, not a high school or grammar school." What a cop-out! A lot of what we got in education at Vanderbilt was good solid stuff that happily they're coming back to.

Q: Were you embarrassed in any way by having your papers torn apart since you were so interested in journalism and writing in the paper and that sort of thing.

A: No. Once I wrote a paper for one of the senior English people on a fellow I knew who made money ghosting papers. I wrote him up in a personality sketch. The faculty member was Donald Davidson, one of the fugitive group of southern agrarian writers, and very conservative, as all of the fugitives were. But in the course of writing up this paper about the ghost-writer, I told about how he had done a paper for his wife when she had taken a course from Donald Davidson. I was a little unfair, but I was being a journalist and reporting the facts. So I included the fact that she said she thought her style was inimitable, but Professor Davidson was not able to tell even that she had not written it. Donald Davidson drew a union picket in the margin of my paper, and he lettered on the picket's sign, "Mr. Katz Unfair to Organized Teachers." And I thought, here was Donald Davidson who hated organized labor, who believed in farms and the ways of the Old South, but who, to make his point, moved over into my world, the labor field. A nice gesture, I thought.

Q: What type of work did you do for Professor Cruikshank?

A: He had an extensive library. I made up cards for his library, or I looked up items for him, such as a passage in a book. I was not operating at a professional level, but at a clerk level. However, unrelated to the character of the work I performed, the opportunity to work with faculty was a rich experience. I'm sure that if I was paid anything, it was practically nothing. But the money was incidental. It was the opportunity to work for and with a senior faculty member that counted.

I kept doing that kind of thing and I worked while in law school as legal assistant to a very fine member of the economics faculty at the University of Chicago, Harry A. Millis. He wrote several volumes, Millis and Montgomery, on labor relations and the American labor movement. He was nice enough to give me credit for my work for him in a footnote. I felt great when I made my first footnote in a book.

In law school I worked very hard for another faculty member also, Professor Gregory. He was publishing a labor law book, and I expected that I would be noted in a footnote, or perhaps a mention in the preface by Professor Gregory, which is usually what faculty

members do. But he made me coauthor of the book. Now, all of that was a chain of events that began with doing very simple work, like my work with Cruikshank.

It was almost funny. The publisher was somewhat aghast. A book by Gregory, Professor of Law! How could they put, "and by Harold A. Katz, student at the law school" — who was going to buy a book like that? And so they importuned me to try to be admitted to the bar before I graduated from law school, before I would ordinarily have been able to do so. So the very first case that I ever filed was a petition to the Illinois Supreme Court, asking the Court to let me take the bar exam early, so that when the book came out the publisher would not have to identify me as a law school student, but could say I was a member of the Illinois bar. I won my very first case in the Illinois Supreme Court!

Q: What was the court's reaction to that?

A: They allowed the petition. It was not anything that required too much stretching. It was just a matter of convenience. At that point I had done all that I needed to complete law school, but I would have to have waited until after graduation to take my bar examination which was probably six months later. And by that time the book would have been out. Fortunately I passed the bar examination, and was admitted. If after all that, I'd have failed the bar, it really would have been a catastrophe.

Q: I'd like to come back to Professor Gregory later on.

A: All right.

Q: Back at Vanderbilt now, were you living at home while you were going to school there?

A: Yes. I was living at home. My parents didn't have enough money for me to be able to live away from home.

## SESSION 2, TAPE 4, SIDE 1

A: So I would hitchhike to school, another thing you don't do any more, I guess. But then there was no problem in hitchhiking. It was like it is in some countries in Europe and other places where people hitchhike freely. I would hitchhike every day. That's how I got back and forth from school. But I missed not living on the campus. That's a loss. There is something useful about living a dormitory life. I got a taste of it when I was at Campobello and in my brief episodes at Northwestern and at the work camp.

Q: Were any of these individuals, the half a dozen or so that you were closely associated with, living in your area?

A: No. They were on campus.

Q: Now, your brother, had he gone to Washington by the time you had gone to Vanderbilt?

A: Yes, he was already in Washington then. He had his education there, mainly in the evening, but later he also was able to spend a year at Harvard, and a year at the London School of Economics.

Q: What was your association with your brother as you were growing up before he left home? Were you close with your brother?

A: Yes, we were close. Bear in mind there was five and a half years difference. But we had a good friendship. His closest friend was Randall Jarrell, who became a fine American



poet and critic. And I knew Randall well. Occasionally they would give me the honor of going out and playing tennis with them. I used to love that.

Randall was a most unusual human being. Many years later I was in Washington, D. C., at a national legislative educational conference at the Sheraton-Park Hotel in Washington. I wandered over to the tennis courts, and there was a bearded figure playing whom I didn't recognize. As the other player hit a beautiful volley, the bearded figure shouted out, "Peachy, simply peachy!" And I instantly shouted back, "Randall!" Even though I didn't recognize him I knew it had to be Randall Jarrell because no one in the whole world but the Randall Jarrell that I grew up with would ever say, "Peachy, simply peachy!" Indeed it was Randall, and I visited with him a few minutes.

My brother was a critic of society. I learned that from him. He had an interest in, oh, journals like the New Republic and the Nation. No other member of my entire family on either side, you can be sure, had even seen a copy of the New Republic. And I read them, all of the political journals of the period, and even the New Masses, the Communist journal. The library did have those things, even though few people subscribed. But it was due to my brother that I developed an interest in political things and in the journals of the political world. Because of him, I read John Strachey, The Coming Struggle for Power, books like that that caused me to look for political solutions for human problems and to examine the institutions of government.

Q: Do you remember discussions with your brother on subjects that he was interested in?

A: With the five and a half year age difference, at that age he did not engage in political discussions with me. But when he would carry on conversations with his friends I would listen to them. He kindled my interest in the political world.

Q: Was your sister interested in that sort of thing?

A: No, she wasn't. She had some qualities that have made her a very excellent businesswoman, but she never had the intellectual interests that my brother did. He was the only one in the entire family who went that way, and he was certainly the first one who ever set foot in a college.

Q: What about correspondence after he had gone to Washington? Did you correspond fairly regularly with him?

A: No. His letters were addressed to the whole family. I would visit him occasionally. Once I visited him in Washington when I came back from Campobello, New Brunswick, where I had attended a student institute at the summer home of the Franklin Roosevelt family on the Bay of Fundy.

I'd had the experience of meeting Mrs. Roosevelt there. We learned through the grapevine at Campobello that Mrs. Roosevelt would welcome a telephone call from any of us who might have occasion to be in Washington in the future. I was in Washington on my way back to Nashville. With much trepidation I telephoned the White House. When the White House operator answered, I asked for Mrs. Roosevelt's secretary of long standing, Malvina Thompson. When the voice on the other end answered, I said, "Miss Thompson?" The voice responded: "I am sorry, but Miss Thompson is away from her desk. Could I take a message for her? This is Mrs. Roosevelt." I stammered that I was Harold Katz who had met her at Campobello and in New York City a few weeks before, and I was calling to pay my respects.

She took down my Washington telephone number, and within a few hours I had received a call back from Miss Thompson inviting me to have tea with Mrs. Roosevelt later that week at the White House. I quickly accepted. It was summertime. I remember that I wore a

white suit with a conservative tie. I identified myself to a guard at the gate and was given immediate clearance to enter the grounds. Mrs. Roosevelt received me in a second floor waiting room.

We were soon escorted to a veranda overlooking the White House lawn. Alice Longworth Roosevelt was at tea that day. And so was Barbara Ward Jackson, the editor of the London Economist. It was very exciting for me. I occasionally interjected some comments in that distinguished company. Mrs. Roosevelt would invariably ask, "What did you say?" or something like that. I assumed it was due to my southern accent. I discovered subsequently that she had one good ear and one bad ear. It was my misfortune to sit on the wrong side of Mrs. Roosevelt. So, if I'd sat on the other side, I could probably tell you that I had a stimulating back-and-forth conversation with her. But sitting on the wrong side, she didn't seem to hear what I had to say. But it was very fascinating to me to be able to move even on the outer perimeter of such a distinguished group. Thereafter, I maintained occasional contact with Mrs. Roosevelt.

Q: Did you meet the president?

A: I didn't. Of course, when I was at Campobello in 1942, we lived in the Roosevelt home, an 18-bedroom cottage where Franklin and Eleanor spent nearly every summer from 1909 until 1921, when polio struck. We saw the boat that Roosevelt had been out in that fateful day. It was still in the boathouse.

The Roosevelt cottage is now part of the Roosevelt Campobello International Park, run by the U.S. and Canada. Electricity, telephones, and a causeway to the mainland have been added since I lived there in July and August of 1942.

Q: What did you do?

A: Faculty members from major universities would come down and spend a week with us. It was a four-week seminar, and there would be an eminent faculty member for each of the four weeks. Mrs. Roosevelt also was there during some of the time. We would engage in discussion of different social, political, economic problems of the society. And the faculty person would speak.

Our first speaker was the president of Hunter College in New York, George N. Shuster, a distinguished Catholic layman. This was a period when young liberals were unhappy with what was going on in Spain where Franco was annihilating the democratic segment of the country. When Dr. Shuster finished talking to us and opened a question period, one young man from New York, one of the students who had just been waiting to throw something at him about the church and its iniquitous position on Spain, jumped up and said, "I have a question. As a liberal Catholic — " President Shuster stopped him right there. He said, "Young man, I am a Catholic liberal. There is no such thing as a liberal Catholic." The years have changed all that. Today there is such a thing as a liberal Catholic, a Catholic who refuses to accept the church position on a matter of theology or dogma. But at that time, the very beginning of the 1940's, even outstanding liberal persons of the Catholic faith made it very clear that they were not liberal Catholics, that they were Catholic, period, and they were liberal, period.

Q: Do you remember any participation of your own in question periods or anything?

A: No, I said nothing memorable. All of the students who went there were very interested in current events, world affairs, problems of the nation, that's why they went there. It did afford an opportunity for students to meet with other students who were more like them. At Vanderbilt I was outside of the mainstream. At Campobello I was in the mainstream. That in itself was useful to know. There was a world with other people who were like me. If

I was in left field in Nashville, however, it didn't mean that there would not be other places, where I might find myself in center stream.

Q: To be able to look out as well as look in.

A: Yes, right.

Q: You say this lasted about four weeks.

A: Yes, and then we left and I took the train back to New York City. I saw New York City for the first time.

Q: What did you do there?

A: Well, I went to Grant's Tomb, and Macy's — I was absolutely astounded at Macy's Department Store. Cain-Sloan's, Nashville's big department store, was nothing like that. I walked around the city, and saw its diversity, and heard different languages spoken all over the place. It was more cosmopolitan than Chicago. Chicago was more like a big Nashville, whereas New York was very different. It had a sophistication that marked it as something totally apart from what I had been used to.

Q: Were you by yourself or did you go with others?

A: I went with a couple of the students. One of the students from Campobello who was from New York invited me to spend a few days, and so that's how I happened to be in New York.

Q: So you stayed with his family then?

A: I stayed with his family, yes. And then I saw Irene Murray whom I had met and gotten to know well at Campobello. Irene was one of a small group of young people whom Mrs. Roosevelt particularly liked. Mrs. Roosevelt had an apartment in Washington Square in the Village, and since I was in New York City, Irene invited me to accompany her to a party Mrs. Roosevelt was giving one night at her New York City apartment. It was a lively and obviously cosmopolitan group at the party. There was an air of fervor and excitement. She lived in a world quite apart from the president. She was an extraordinary woman.

During the course of the evening, Mrs. Roosevelt invited Irene and me to spend a few days later in the week with her at the Roosevelt ancestral home at Hyde Park. I was overjoyed at the prospect, and it was arranged that we would meet Mrs. Roosevelt at the Hotel Commodore next to Penn Station where we would have dinner with her later in the week and proceed by train to Hyde Park. Unfortunately, Irene was feeling ill that day and decided against going. Since I was aware that I was being invited only because I was Irene's friend, I felt it would be inappropriate for me to go without her.

Accordingly, Irene and I proceeded to the main dining room at the Hotel Commodore to advise Mrs. Roosevelt when she arrived that we were regretfully declining her kind invitation to visit her at Hyde Park. The maitre d' saw me standing next to the door in a short-sleeved sportshirt without tie or jacket. He scolded me for my dress and directed me to leave the premises immediately. To make sure that I did so, he stayed behind me, moving me along towards the door. Irene followed close behind.

Irene and I stationed ourselves just outside the Commodore along the route we thought Mrs. Roosevelt would follow. In a few moments she arrived. We told her that we would not be able to accompany her to Hyde Park. However, she insisted that in any event we join her for dinner at the Hotel Commodore dining room. She led the way; I followed at the end



of the line. The same maitre d' was standing in front of the door. He immediately recognized Mrs. Roosevelt, whom he greeted exuberantly, saw that I was her guest, and stood by silently, as I followed her to her table with a look of victory on my face. I am probably the only man ever permitted during that era to have dinner in the main dining room of the Hotel Commodore in direct violation of their dress code. I could not resist rubbing it in as I walked by, muttering to the maitre d' in a subdued but triumphant tone, "Presidential party!"

Q: Did you continue then through the years to meet with Mrs. Roosevelt occasionally?

A: On rare occasions. She once came to Nashville, and I saw her for a few minutes. I once dropped her a note. Mrs. Roosevelt sent me a picture, an autographed picture, that I hung and kept nearby because I admired her so much. My view of her was well expressed by Harry Truman who called her the First Lady of the World.

There was a period later in Nashville when things on the racial front got quite heated. It became Ku Klux Klannish. I dropped a note to Mrs. Roosevelt commenting to her about the tenseness of the racial situation. She sent me back a very brief note which said in essence that she thought I ought not to exacerbate it, advising me to proceed with considerable caution.

Q: Now, you went on to Washington from New York then.

A: Yes, I did. I went on to Washington from New York and then had the visit at the White House.

On another occasion I went to a student institute at the University of Virginia. They had a World Affairs Institute every year at that time where they would bring distinguished people in international relations to Charlottesville. Outstanding scholars in international affairs would lecture to students from all over the country. I got into that through Dr. Fleming, our political science faculty member interested in international relations. The speeches and sessions made the few days at Charlottesville very exciting. This was in the summer of 1941 — before the Campobello experience.

Q: How did you come to go to that World Affairs Institute?

A: Through Dr. Fleming. He encouraged me to attend.

Q: Was it at your own cost?

A: Yes, it was at my own cost. By this time my parents had enough money to send me. It was on the way to Washington, and my parents wanted me to visit my brother who was nearby.

Q: Do you recall any others from the South that were at the meeting that you talked with?

A: My friends, William Sanders and Bob Cook. We drove up together from Vanderbilt. I am sure that there were many others from Southern universities, but I did not know them.

#### SESSION 3, TAPE 5, SIDE 1

Q: What was the sense there at Vanderbilt or during those years of the coming war? It was pretty hot by 1939.

A: One of my favorite professors, Professor Fleming, was an authority on the League of Nations, and a great believer in collective security, and he had quite an impact at

Vanderbilt. So there was a general sympathy toward the Allied cause, and toward the general view of Professor Fleming that solidity among the Western nations was essential for world security.

Q: There was a general feeling after Pearl Harbor occurred of rushing off to join the services and win the war. Did you get swept up in any way in that feeling?

A: I did, but I was rejected for military service, and I went to work at a war agency. This was right after I was graduated from Vanderbilt.

Q: So this would have been in 1942 then I guess, the summer or fall of . . .

A: Yes, and in 1943, that period. The country was at war and there were all sorts of problems, problems of inflation, problems of transportation, and concern for our millions of men and women who faced hardship, injury and death in a war that had to be won.

Q: Now you graduated in 1943 from Vanderbilt. And then, how did you become associated with the War Labor Board?

A: Well, I came to Chicago to visit my sister and looked for a job when my journalism career ended very quickly.

Q: You mentioned that, sir. (chuckles)

A: I applied for a job with the war agency that needed people in the field that I knew best, labor economics. I went to work for the War Labor Board doing economic analysis, passing on applications for wage increases for plants and unions. Obviously, it was necessary to have a satisfied work force, and also to avoid inflation to the extent possible in wartime. That necessitated the passage of laws that permitted the president and the executive branch to control wages and other fringe benefits. There had to be a superstructure to do it. It's a very complex country. We would get applications from employers who either were having difficulty with the union at a particular plant, or their wage level, now frozen, may have been so low that they could not hire people to enable them to fill their military orders. They would have to apply to the War Labor Board to institute a wage increase. We would review their applications on the basis of criteria established by the War Labor Board. It was a tripartite board — labor, management and public members appointed by the president. In the field offices we would apply the policies established by the War Labor Board to rule on applications to adjust wages and fringe benefits at particular plants.

Q: Well now how did you come to know that this position would be open? How did you come to apply for it?

A: I had come out to the University of Chicago and learned while on campus that one of the outstanding young academics, Greg Lewis, was heading up the wage stabilization section of the War Labor Board in Chicago. He was desperately in need of people with economics training to staff this new agency. I went to see Professor Lewis, who was by then full-time with the War Labor Board, and he hired me.

Q: And then, specifically, what did you do when you went in and sat down at the desk?

A: A file would be handed to me. It would contain an application from a particular employer who wanted to make certain wage or fringe benefit adjustments that exceeded the established patterns permitted by the War Labor Board. It would be full of economic data concerning the group of employees for whom the employer wanted to make an adjustment. We had economic data relating to wages being paid in the different areas of the region. We would take the application that had been filed with us by the employer, or by the employer and the union, and compare it to the data that appeared in our records relating to wages

and fringe benefits being paid for comparable work by other employers in the same general area.

We tried to stabilize the employment market. If one employer was permitted to . . . set wages at whatever level that employer wanted, it could have several deleterious effects. It would promote inflation by a rapid escalation in wage levels. It would encourage employees in other plants to quit their jobs and move to the new plant. Yet the plant they would be leaving might be engaged in very essential war work. Many of the contracts let by the government for military supplies were on a cost-plus basis, so the employer did not have any interest in holding down wages. And it was our job to try to rationally restrain wage changes, while permitting changes where it appeared to be advancing the national economic interest, and denying them where it appeared not to be in the national interest. From the employer's point of view it was a very critical and important decision. If he could not make the change, in some instances it would mean he would have to go out of business because he could not hire the employees that he needed to fulfill the contract he had. So that's what our job was, to say yes or say no or to take some middle position.

Q: Were these in the form of hearings after you had studied the application?

A: By and large not. The decisions were based upon the written submission.

Q: Do you recall any situations of conflict that came up?

A: Many cases involved situations of conflict. However, the conflict often was not between the union and the employer, because the nature of military procurement frequently gave the employer and the union a common interest in higher wages. It was the national economic welfare that stood to suffer in the process.

If there were not problems involved, they wouldn't come to us in the first place. There were certain policies that the National War Labor Board adopted, and they would say that within certain limited ranges you could make adjustments in wages. When the employers felt that those were not adequate, they would come to us and we would have to decide whether to permit adjustments in wages that exceeded levels permissible under National War Labor Board regulations. I did not get involved in strike situations. Of course, there weren't very many strike situations because there was a national policy on the part of labor not to strike during the war.

Q: Well now, did you like this type of work as you got into it?

A: Yes, I enjoyed it. It was interesting. Of course, after a while, when you do economic analysis of that kind, it has a certain repetitive quality. I found that in life, as well. I stayed with the War Labor Board for a year and a half, something like that. And because of the repetitive quality of the work, I moved laterally into the other federal agency involved in labor relations matters, the National Labor Relations Board. The NLRB was involved in different problems, some of which were also directly related to the war. The National Labor Relations Board had to conduct certain elections under the War Labor Disputes Act in plants that were about to go out on strike. And that was one of my activities for the National Labor Relations Board. But it had many other activities; the agency had been created in 1937. It protected the right of employees to form, join, and assist labor unions, and the right of unions to bargain collectively.

Q: Well how did this practical experience in the field as it were advance your education, or your personal knowledge of the field that you were getting into?

A: It gave me a good deal of knowledge about the War Labor Board and the National Labor Relations Board, and indeed my professional career that followed was directly related to the labor field. The graduate work I pursued was in the labor field, as well. So it did definitely



mark an important turning point in my professional development. Up to that point I had simply been in the field of economics. There is an area in which economics overlaps with law and that has come to be known as labor law and collective bargaining. I pursued my interest in labor economics, both at the undergraduate level, and subsequently, at the graduate level at the University of Chicago, and ended up with a master's degree in economics, with a major in labor economics and a minor in public finance. All of that tied in with my subsequent career.

Q: Well, now, how did it come about that you chose the University of Chicago? Was it the fact that you were here in Chicago, and there it was?

A: Well, I was always very impressed with the University of Chicago and Robert Maynard Hutchins.

### SESSION 3, TAPE 5, SIDE 2

A: Robert Maynard Hutchins, the chancellor of the University of Chicago. When you talk about the university in my circle you mean the University of Chicago. So I was very pleased to be able to go there, pursue my education there. There had not been any question at all that, given my druthers, I would have selected the University of Chicago over any other school. It was particularly distinguished in my field of interest, the social sciences. It was the general tone of the university that appealed to me. It always has, and I think always will.

Q: Well, let's see now, you had been here in Chicago a couple of years before you went to the University of Chicago or started school there. Is that . . .

A: What happened was that . . . I decided that in addition to my job at the War Labor Board I would like to try to get more knowledge and more education. At some point I started taking evening courses on campus at the University of Chicago. I had considerable professional involvement in the labor field, as well as a great and long-term interest in the labor movement. And so it was rather natural that my professional education at the University of Chicago would gravitate toward labor economics. Professor Charles O. Gregory of the law school taught a course in the economics department called Economics 345, Labor and the Law.

I took the course in the early part of 1945. During the course of the quarter I got to know Professor Gregory, who urged me to come to the law school. The end of the war was in sight at that time. And Professor Gregory offered to try to get me some kind of scholarship assistance in the law school if I would agree to come to the University of Chicago Law School. By this time I was also about to get married. And so it all fit together, and I took Professor Gregory's recommendation. I applied to the law school and was accepted. It was not very difficult in those days to get in law school. It has subsequently become very difficult. He got me some scholarship assistance, and my wife went to work. I entered the University of Chicago Law School in the fall of 1945.

Q: Did you cease your work then with the National Labor Relations Board at that time?

A: Yes. The University of Chicago is not the kind of law school that you can attend at night. It doesn't have evening courses available. Of course, I had been taking courses right along in the economics department, and I had built up a number of hours of credit. And I continued to take occasional courses in economics while I was in law school. Ultimately I was able to get a masters in economics, though that was much later because I had to write a thesis and I wasn't able to do that until after I had been out of law school for a number of years.

Q: Well now, you came to Chicago in 1942 or 1943 to stay, as it were — it turned out that you stayed. What was life in Chicago like for you at that time? Where did you live?

A: I lived in a co-op in Chicago. This was another very interesting living experience. We had an old house, it must have had thirty rooms in it, in Hyde Park. It was run on a basis in which members had to be admitted into the co-op. In addition to paying some huge sum of money like twenty-five dollars a month for room and board, we would have to work in the co-op. Some cooked, some washed dishes, some cleaned up. There were at that time several housing co-ops in the general area of the University of Chicago. I lived in the Concord Co-op. It no longer is in existence. But again, it was a living experience for about a year, living cooperatively with a wide variety of students.

Q: What type of work did you do?

A: I washed dishes.

Q: Oh, did you?

A: Now and then I mowed the lawn. They didn't have enough courage to let me do the cooking, but sometimes I would bring my girl friend, Ethel Mae Lewison — now my wife — to the co-op and she would pitch in and help me with the dishes for about thirty people. I think that that was a tremendous inducement to marriage, seeing her in this role. In any event whether she wanted to or not, she did it. She was a good sport about it. We have been married for over forty years now, and I frequently help with the dishes. She is more than even!

Q: Now were these mostly students at the University of Chicago?

A: They were mostly students. One of the people there was Carl Christ. I remember Carl well because he worked in the metallurgy project. All we knew was that he was very secretive about what he did. We sort of learned that you just didn't ask him what he did. Later we discovered that he had been working on the Manhattan Project out of which came the first chain reaction that produced the atomic bomb.

One time during this period I . . . was involved with some friends at the Democratic national convention being held in Chicago. We were supporting Mr. Henry Wallace for reelection to the vice-presidency. I knew people who were active in the labor movement and I sort of got into the inner circle of the labor movement at the convention. They wanted to do something dramatic in terms of staging a demonstration at the convention for Mr. Wallace. Somebody wanted to get balloons that would float over the stadium with big Wallace banners. But rubber was a product that was unattainable during that period. So I spoke to my friend, Carl Christ, and he said, "Well, you know, I wouldn't have any trouble in getting you a rubber balloon — whatever size you want, just name it." I remember the fun of having Carl smuggle us out a huge balloon that could hardly fit in an automobile, and Ethel Mae brought it to the convention in a cab, and we launched it in the Chicago stadium at a very critical time. It didn't get Mr. Wallace renominated, but it did make Time Magazine, including a picture of the balloon hanging over the stadium.

Q: Let's see now, that convention would have been 1944, was it?

A: Yes, that would have been the 1944 convention.

Q: You evidently attended that convention then.

A: Yes. I didn't attend as a delegate, and didn't go on the floor during sessions. But I sat up in the galleries. We had plenty of tickets. There was a rather celebrated episode in which Mr. Sidney Hillman arranged for labor people to get tickets to the gallery. Mayor

Kelly was presiding, and I will never forget that episode. Every time Mayor Kelly would say, "We want —," the whole gallery would come back, "Wallace!" He tried several times and simply couldn't get past the word, "want." We had the galleries, but Roosevelt wanted Harry Truman who became the party's candidate for vice-president.

Q: Who was this Sidney Hillman?

A: He was the president of the Amalgamated Clothing Workers' Union, and he was the head of the CIO [Congress of Industrial Organizations] Political Action Committee. The Republicans used the phrase, "Clear it with Sidney," to mimic what Roosevelt would allegedly say; in other words, the idea of "Clear it with Sidney" was that Mr. Roosevelt was the patsy of Sidney Hillman. Hillman was a very able man. He came out of Chicago, originally out of the Hart, Schaffner and Marx strike in Chicago with Sam Levin and Frank Rosenblum in 1910, and went on to become the president of the Amalgamated Clothing Workers' Union. And then while he lived he was a dominant political voice in the CIO.

Q: Did you get to know him at that time?

A: No, I didn't. I was not in the position of being in with the policymakers. I would sometimes be present at strategy sessions, but I was quite retiring in those meetings.

Q: Who were some of the leaders in those meetings?

A: The labor leaders in the CIO at the time. But the people that I associated with were lower-level people. I would not want to tell you that I was at the nerve center of that convention. I was crushed when our candidate, Mr. Wallace, was not renominated. Subsequently, I've had some doubts about the wisdom of our position and I've decided that Roosevelt was right, that Harry Truman was an extraordinarily fine selection as vice-president and that my friends and I were wrong.

Q: How much of your association with the people that you met at these meetings, organizational meetings, came from the fact that you were with the National Labor Relations Board?

A: There was no connection. I knew them socially. The people in the labor movement who were engaged in political action were by and large different from those engaged in processing claims at the War Labor Board or the NLRB. I just happened to make a good friend, Bob Levin, and I lived with him a while in an apartment. As a matter of fact, when I got married, he moved out and my wife moved in. Bob was the one who got me into these meetings because he was a CIO labor union functionary.

Q: Did you formally join at any time a labor union? Did you belong to one?

A: No, other than the fact that at the War Labor Board, and at the National Labor Relations Board also, we had little independent unions in our own agencies. They were not associated or affiliated with any of the national unions. They were relatively ineffectual, but we did take care of complaints that employees might have with management. I was active and was president of the union at the War Labor Board.

Q: You mentioned social activity. What type of social activity did you participate in at that time?

A: Just the usual social life that young people have.

Q: Were there any dances that you attended at that time?

A: Oh yes. I would attend some dances and some parties. Co-ops are not terribly social. They do folk dancing, rather than ballroom dancing. That was true of the work



camp also. They tend to attract a type of person who is not too fraternity/sorority-dance oriented. I played tennis. I went to movies, but not the Chez Paree in Chicago, and night-clubs, and that sort of activity. I was more of a hayseed.

Q: Let's see, the Aragon and the Trianon were going full blast then. Did you get out to those?

A: Oh, I did occasionally. I did like to dance. It's pleasant to think now about those big dance halls.

Q: Do you remember any of the big bands that you saw there?

A: I remember Dorsey and Kruppa and Wayne King from that period.

Q: What about the legitimate theater. Did you attend much of that?

A: Yes. I went to a number of plays. Today, the legislature's funding of the arts has produced a real renaissance of the theater in the Chicago area. The semi-professional theater that abounds in Chicago now hardly existed then.

Q: Was there a symphonic orchestra at the University of Chicago?

A: No. There was, of course, the Chicago Symphony. I remember once attending "Lady in the Dark" at the Civic Opera House, with Gertrude Lawrence and Danny Kaye. I sat with my date in the very last row in the very top balcony. You need a telescope to be able to see what's going on down there on the stage. One row back, and I would have been out in the lobby.

Q: Where did you meet Miss Lewison?

A: She worked at the War Labor Board. We met there, and that's what produced the sparks that produced the marriage that produced the family.

Q: Was she from Chicago?

A: She was from Chicago. Her father was a fine internist who taught at the University of Illinois. He had died by this time, however. She lived with her mother. She and her brother, Edward, an outstanding surgeon who taught at Hopkins and who specializes in breast cancer in Baltimore, and her mother, Julia, were the only members of her immediate family.

Q: And so you just got to know each other in the activity there?

A: Yes. I edited the newspaper at the War Labor Board. One day, I got a little note from someone I didn't know, telling me how much she liked a particular article I had written for the newspaper. Of course, I was very pleased to have anybody take notice of what was in the newspaper. That was Ethel Mae who had sent me the note. Soon, she and I got to be friends, and she attended some of the economics graduate school classes that I attended at the University of Chicago. She had graduated from the University of Chicago. And on July 21, 1945, we were married in Chicago.

Q: So it was kind of a whirlwind sort of thing, a year, or a year and a half, or so.

A: Right. I'd known her a good many months. But I did propose marriage to her relatively soon, uncharacteristically soon for me.

Q: Was she active in supporting Wallace, also?

A: Yes. I remember her saying to him on the convention floor, "Mr. Wallace, you are the hope of the young people of America." He beamed.

Q: Yes, sir. Well, let's see, where did you go on your honeymoon?

A: We went to Wisconsin. And I flew in my first airplane coming back from our honeymoon. It was a Northwest Airline plane. A storm developed, and there was lightning all around the plane. It was a frightening experience for us. During the war I had traveled some for the National War Labor Board, but always by train or by auto. People in the business world and the government world at that time seldom traveled by plane.

### SESSION 3, TAPE 6, SIDE 1

Q: How extensive were your travels then for the National Labor Relations Board? Throughout the Midwest?

A: I traveled frequently in several states of the Midwest. It would not be at all unusual for me to be out of the city at least once a week. So I learned to travel a good deal, and it perhaps conditioned me for the milk train to Springfield.

Q: Yes sir. (chuckles) What types of things did you do when you traveled like that? What were the purposes of the trips?

A: Well, there would be a hearing in another city. For example, I remember once going to a hearing in Canton, Illinois. The International Harvester Company was in Canton. And there was to be an official of the agency, called then a trial examiner, who was supposed to be there to preside at a hearing. The hearing was to begin at ten o'clock. The others who were to be there waited till ten, ten-thirty. We couldn't understand the trial examiner not being there. Then we got a telephone call from him, and he was just beside himself. "I am terribly, terribly embarrassed about this. I made a mistake. I'm in Pekin, Illinois. Damn it," he said, "I knew it was someplace in China."

Q: (chuckles) Well!

A: Anyway, I would participate in conferences and hearings, conduct elections and make factual investigations, in different parts of the Midwest. It was an interesting kind of life. In the course of it I met Irving Friedman who later became my law partner. That has been one of the most significant events of my life.

Q: Was he working with the National Labor Relations Board?

A: Yes. He was working for the NLRB as senior trial attorney in the Chicago office. But it occurs to me now, this was subsequent to the time when I was there originally. I had gone to law school and had become a lawyer and had gone into practice. Irv at that time was with the Labor Board in Chicago, as I had been with the Labor Board before.

Q: He was younger than you, then.

A: No, but he had started his career in labor law a year or two after I did.

Q: Well, let's see now, you left the co-op and went to an apartment which you shared and then, when you were married, your wife moved in and replaced the other person. What type of apartment was it?

A: About as small as an apartment could be, a tiny apartment at 5200 Kenwood Avenue, in Hyde Park. I always gravitated toward that area. It was in the university area where

I was planning to resume my formal education. I lived in Hyde Park for many years, until I moved to Glencoe in 1952.

Q: Well now, let's see, with the scholarship and some help from your wife — what type of work did she take up to keep you in school?

A: She worked for a large mail order house in Chicago. Chicago used to be the national center of mail order. She would take three streetcars to get to work every day, and the same number coming back. She worked in a very unexciting kind of job, just to earn money to enable me to complete my education, as if one could ever complete one's education.

Q: Formal education.

A: Yes.

Q: Well let's see then, it would have been about 1946, I guess, that you started in the law field.

A: Well I started law school in 1945 and was graduated in 1948. I could have graduated at the end of 1947, but I stayed an extra quarter because I was working on that labor law case book with Gregory, as I think I mentioned. When I graduated I went to work for a lawyer for a relatively short period of time, a matter of some months. And then a dramatic event took place in the American labor movement that affected the course of my life.

About this time Walter Reuther was assembling his forces in the United Auto Workers. That union had been under the control of leftwing elements for a number of years. Right after I got out of law school, Walter Reuther was able to win the presidency of the United Auto Workers' union. When that occurred, there was a change in the regional directorship of the union in Chicago. The new regional director decided to get a new regional attorney. He selected a very fine lawyer in Milwaukee named Max Raskin.

While I was in law school Ethel Mae at one point had been working at the industrial relations center at the University of Chicago. And she was friendly with Ralph Showalter who had been an officer of a large UAW local in Chicago, Local 6. He had been appointed to a staff position in Detroit, and was on leave from the UAW to get additional education at the industrial relations center at the University of Chicago. Ralph got to know me a little through Ethel Mae. He knew about my labor background, about my writings with Professor Gregory. And just as a total coincidence Ralph met Max Raskin somewhere and told Max that he had just the guy who could do Max's work in Chicago, where both the UAW and the NLRB had their regional offices. One day I got a telephone call from Max Raskin, whom I had never heard of, and he said he wanted me to come to Milwaukee and see him. The call came the day my older son was born; I thought of an old aphorism: a first child brings good luck.

I went up to Milwaukee. The lawyer that I was working for didn't want me to go particularly. He said, and I quote those immortal words, "You never get business from another lawyer." I said I was going to Milwaukee. Max asked me if I would do the UAW's work in Chicago under his general supervision from Milwaukee. I accepted and went out on my own. And that's how I started doing work for the UAW. The UAW grew. They divided the region and Milwaukee became part of a separate region. Max became the regional attorney of that region. The director in the Chicago region asked me if I would be the regional attorney here.

And so that little happenstance, my wife knowing Ralph Showalter, significantly affected the course of my career. Representing the UAW became an entree to representing other labor clients. As a result, my labor law practice has been my life's principal professional activity when I was not engaged in political activity.



Q: I'd like to pick up there again. But right now I'd like to go back to the University of Chicago and Professor Gregory. Now the book that came out was entitled Labor and the Law.

A: No, this was a different book. That was a subsequent book I did with Professor Gregory in 1979. The book that came out in 1948 was Labor Law: Cases, Materials and Comments. It was about a 1400-page case book that was used in more than fifty-five law schools at the time in the teaching of labor law. It was that book that Ralph Showalter was familiar with and that gave him enough confidence to recommend this student who had just graduated from law school to the new regional attorney for the handling of labor law matters in Chicago.

Q: Well, did you have a sense that getting involved with writing this book would help you in your career at that time? Had that thought crossed your mind?

A: Well I wrote the book because I was excited about the opportunity to publish a labor law book with a distinguished law professor. But it is also the case that I was certainly aware that in getting started in a profession, the publication of a book would be a great help. I did view it as a stepping stone to establishing myself as a person with competence in the labor law field. I have liked to be able to sit down and write. I'm basically the writer type. I like to write, whether it's a book or an article or a brief or a speech. I always have done my own speechwriting.

Q: What about publication of articles at that stage? Were you being published prior to leaving the college?

A: No, but I was on the Board of Editors of the Law Review at the University of Chicago. And I published in the Law Review in the usual way in which student notes appear. After law school I continued writing articles from time to time, usually for law reviews.

Q: While you were in law school with this load of things to do for the two professors, was there a group that you felt a part of at that time? Or were you kind of separate from the other part of the law school body?

A: Well, the law schools were very small at that time. The great influx of students into law had hardly begun. It is undoubtedly the case that most of my spare time was spent in the office, working with Professor Gregory. I did get to know many of the other students, but I was not active in any law school organization other than the Law Review. I spent a lot of time, an enormous number of hours, doing research for and with Professor Gregory.

Q: Did your wife get involved with that or was she kind of left out?

A: No, she was somewhat left out. There was no way that she could do legal research. Undoubtedly, she didn't have a husband around much of the time. Maybe, in a sense, that was good training for Springfield. I spent more time than most around the law school. She was working during the period. And soon we started to have a family.

Q: Now was it Alan that was the first-born?

A: The first-born, yes. He was born the year that I graduated from law school. I had become what my wife fondly calls a workaholic. I have found it very difficult to do sustained work and special projects without putting in a lot more than eight hours a day.

Q: Was she generally sympathetic to that, or did that present problems in your early life?

A: I think that she was generally accepting of it. I would not want to use the word sympathetic. She has seen many movies without me.

Q: What kind of social life did you and your wife find yourself in? Did you play bridge, for example?

A: We did play a little bridge, but that was largely during the period after law school and before I entered the legislature. Now others did. One of my law school colleagues was Milt Shadur, now a federal district judge, who was a phenomenal law student, the best of the whole class. Old Milt would be down there playing bridge day after day. He could do it, but I couldn't. I did not have the capacity to lead the kind of life that I did, and still be down there playing bridge.

Q: Well now you had mentioned earlier that you generally felt yourself being on the outside looking into these groups. Did you have that same sense here at the University of Chicago?

A: Yes. I did not spend my time down in the student lounge playing bridge and drinking beer with my classmates. I got along with my classmates, and a group of us studied together when exam time came. But I was not in the mainstream of the social life of the law school.

Q: What about Professor Gregory's thinking? Were you really in sympathy with him? Or were there things that you found that you thought he ought to be thinking differently on?

A: We were not writing a political book. In terms of general philosophy in labor law, we were sympatico. He was a delightful human being. It was a pleasure working with him. He is not pompous in any way. He doesn't maintain a barrier between professor and student. He treated me as a friend. To this day we have remained good friends.

Q: Well let's see, your tenure there at the University of Chicago wasn't too long after the — what was it? — the Walgreen episode. Did you have a sense that there were undesirables as far as the United States were concerned on the campus?

A: No. I had no sympathy with the Walgreen kind of thinking. The University of Chicago was a place where free inquiry could take place. The price you pay for free inquiry is that some people may espouse ideas that you don't agree with. One of the reasons why I was so fond of the university was precisely because it was that kind of center of free inquiry. I was angry with the people in Springfield who were looking into the university to try to find subversives in this place or that place. There is no subversion in the arena of ideas.

#### SESSION 4, TAPE 7, SIDE 1

Q: Then asking a little bit more about law school, now let's see, you were almost entirely tied up with your schoolwork and the work for the school, for Dr. Millis and Professor Gregory, at that time. You had no other work going on.

A: No. I was a full-time student in the law school.

Q: I assume that the type of work you were doing was something like a graduate assistant or a research associate for these individuals.

A: Yes, that would accurately describe what I was doing.

Q: Did this type of work at that time or this association in any way cause you to think about a teaching career?

A: Yes, I did think about a teaching career but decided that I would like to practice law. I have never been sorry I made that choice. I have enjoyed the action, the variety, the independence of private practice, particularly as it has been coupled with my legislative activities.



PATERNAL GRANDFATHER ISAAC KATZ IN RUSSIA WITH FAMILY (1914). MAURICE KATZ, THE ELDEST CHILD AND THE FATHER OF HAROLD KATZ, HAD EMIGRATED TO THE U.S.A. LANDING AT ELLIS ISLAND IN 1905. IN 1914, MAURICE BROUGHT HIS HALF-BROTHER, JOSEPH (UPPER RIGHT), TO THE UNITED STATES. KALMAN KATZ, THE RECENTLY LOCATED HALF-BROTHER, IS ON THE LOWER RIGHT ON HIS MOTHER'S LAP.

*"By being away in the [Russian] army [Kalman] avoided being killed by the Nazis . . . I mean every cousin, every aunt, **everyone** was killed by the Nazis, with the exception of Kalman. This was the Holocaust."*





MAURICE AND EVELYN KATZ AND THEIR CHILDREN: SAM, HELEN [ALBERT], AND HAROLD (1960).

*"He did not encounter anything like he had come from, the Cossacks riding into the community and terrorizing the Jews . . . . This really was a new world for him. And his parents were proven right. In America he was accepted in a way that he could never have been in Russia. And so were his children."*



HAROLD KATZ IN HIGH SCHOOL DURING THE GREAT DEPRESSION (CIRCA 1935). INSET: HAROLD ON A PONY IN THE MID-TWENTIES.

*"I was very troubled by the unemployment, the poverty, and the malnutrition that was all over the place. There is nothing comparable today in our country. There were no public assistance programs. People just had to make do."*



IN 1958 AS HAROLD KATZ WAS ABOUT  
TO RECEIVE A MASTER'S DEGREE  
FROM THE UNIVERSITY OF CHICAGO.

*"The University of Chicago was a place  
where free inquiry could take place . . . . I  
was angry with the people in Springfield  
who were looking into the university to  
try to find subversives in this place or  
that place. There is no subversion in the  
arena of ideas."*





PORTRAIT OF ELEANOR ROOSEVELT (1942). INSET: HAROLD KATZ RETURNS 44 YEARS LATER TO ROOSEVELT SUMMER HOME IN CAMPOBELLO, NEW BRUNSWICK, CANADA, 1986.

*On Eleanor Roosevelt: "Mrs. Roosevelt sent me a picture, an autographed picture, that I hung and kept nearby because I admired her so much."*

*On FDR: "He was elected president four **terms**. Growing up, I never knew a president other than Roosevelt."*

*On Campobello: "At Vanderbilt I was outside of the mainstream. At Campobello I was in the mainstream . . . There was a world with other people who were like me."*



HAROLD KATZ AND HIS WIFE, ETHEL MAE, DURING HIS FIRST RE-ELECTION CAMPAIGN IN 1966.

*"So it's very helpful to have an Ethel Mae. Two heads are better than one, and two memories are better than one. When we go into a public place, two of us have the opportunity to remember who that fellow is across the room who's walking over toward you. Some constituents are very good about that while others try to embarrass you."*





FAMILY PORTRAIT TAKEN NOVEMBER 2, 1986, AT HAROLD'S 65TH BIRTHDAY PARTY. STANDING (L TO R), ALAN, BARBARA, JULIA, LAURA, AND JOEL. SEATED (L TO R), PAULINE WITH ELENA, 2, AND ETHAN, 8, HAROLD AND ETHEL MAE.

THE HAROLD KATZ FAMILY SHOWN TWENTY YEARS EARLIER ON THE BACK OF A "DEAR FRIEND" CAMPAIGN POSTCARD. FOREGROUND, ETHEL MAE AND HAROLD KATZ AND JOEL; REAR, JULIA, BARBARA, AND ALAN.

*"They were very happy over my election to the legislature . . . . Later, if you asked them . . . on balance I would bet that most kids would rather not have their parents in public life."*





*"I did have to provide constituents with service which I was never very fond of doing. Estelle Wirpel, who became my legislative aide later, was a whiz at it."*

ESTELLE WIRPEL, ADMINISTRATIVE ASSISTANT TO HAROLD KATZ.



HAROLD KATZ IS SHOWN ON THE HOUSE FLOOR WITH HIS TWO YOUNGER CHILDREN, JULIA (L) AND JOEL (R), WHO WERE IN SPRINGFIELD SERVING AS HONORARY PAGES FOR THAT DAY DURING THE 1969 SESSION.

*" . . . When I first started running for office, my son, Joel, was five years old. One Sunday afternoon I was at a political picnic, and I was busily engaged in shaking hands as politicians do, greeting this constituent and that constituent. And Ethel Mae told how Joel was calling, 'Daddy, Daddy,' somewhat poignantly, and perhaps a bit pathetically. And Daddy never turned . . . Finally, he reared himself up to his full height and he shouted, 'Mr. State Representative!' and I whirled around to him."*



HAROLD KATZ VISITS WITH PROFESSOR CHARLES O. GREGORY IN NEW HAMPSHIRE IN 1985.

*"The publisher was somewhat aghast. A book by Gregory, Professor of Law! How could they put, 'and by Harold A. Katz, student at the law school'--who was going to buy a book like that? And so they importuned me to try to be admitted to the bar before I graduated from law school . . . ."*



GOVERNOR OTTO KERNER CELEBRATES HIS 55TH BIRTHDAY WITH HIS STAFF AND MRS. KERNER BY CUTTING A CAKE IN THE GOVERNOR'S OFFICE ON AUGUST 15, 1963. SHOWN (L TO R) MARY HEFFERNAN; JOHN REIDY; HAROLD KATZ, WHO ASSISTED GOVERNOR KERNER IN THE REVIEW OF BILLS PASSED BY THE GENERAL ASSEMBLY IN 1961 AND 1963; DAWN CLARK [NETSCH], THE GOVERNOR'S LEGAL ASSISTANT; MRS. KERNER; GOVERNOR KERNER; EDNA HOBBS; MARGARET KOLOM; AND BILL CHAMBERLAIN, THE GOVERNOR'S ADMINISTRATIVE ASSISTANT WHO LATER BECAME SECRETARY OF STATE.

*"With Walker, who was interested in power, it was inevitable that there would be that kind of confrontation. Kerner was not interested in power in that sense. He did not want to control the Democratic party, he simply wanted to be Governor of the state . . ."*





HAROLD KATZ AND DOUG FRASER, INTERNATIONAL PRESIDENT OF THE U.A.W., EXCHANGE GREETINGS AT A LABOR POLITICAL RALLY IN OTTAWA IN 1978. IMMEDIATELY BEHIND KATZ TO HIS LEFT, ATTORNEY GENERAL WILLIAM SCOTT CAN BE SEEN IN PROFILE. TO THE RIGHT OF KATZ IS REP. LEWIS A.H. CALDWELL (D.-CHICAGO) AND TO FRASER'S RIGHT IS REP. E.J. "ZEKE" GIORGI (D-ROCKFORD).

*"Representing the UAW became an entree to representing other labor clients. As a result, my labor law practice has been my life's principal professional activity when I was not engaged in political activity."*



GOVERNOR OTTO KERNER SIGNS AN UNEMPLOYMENT INSURANCE BILL INTO LAW, 1961. STANDING (L TO R), SAMUEL C. BERNSTEIN, COMMISSIONER OF UNEMPLOYMENT COMPENSATION; HAROLD KATZ, SPECIAL COUNSEL TO THE DIRECTOR OF LABOR; REUBEN G. SODERSTROM, PRESIDENT OF THE ILLINOIS STATE AFL-CIO; AND ROBERT JOHNSTON, DIRECTOR OF LABOR. INSET: GOVERNOR KERNER'S VETO FORCE IN 1961 AND 1963. REAR (L TO R), WILLARD J. LASSERS (NOW COOK COUNTY CIRCUIT JUDGE), JAMES B. MORAN (NOW U.S. DISTRICT COURT JUDGE, CHICAGO), AND HARRY GOLTER. FOREGROUND (L TO R), HAROLD KATZ, DAWN CLARK (NOW SENATOR NETSCH ([D.-CHICAGO])), AND JAMES T. OTIS.

*"[W]hen the governor issued a call to his Board of Unemployment Compensation advisers to . . . review the existing legislation in unemployment compensation, you can be very sure that somebody had been to talk to the governor, either Rube Soderstrom or maybe Joe Meek. The governor was not self-propelled in the situation . . . ."*

*"The experience that I had in the Veto Force did interest me in trying to make some long-run improvements in the legislative process, but I had no other experience that motivated me to say, 'Well I'm going to Springfield and I'm going to correct that situation.' But when I got to Springfield I did try to correct some situations."*

Q: Did you have any experience at teaching? Did you fill in at any time for any of the instructors?

A: Yes, I used to teach occasional classes for Professor Gregory in the labor law classes that he gave in the economics department.

Q: Let's see now, you resided at the same place at the apartment all during your school years. Or did you . . .

A: Yes, I lived near the campus in university housing.

Q: Now let's see, Alan had been born. We mentioned that before. Before you graduated from law school, had Barbara and Julia and Joel, the other three, been . . .

(Narrator looks in notes)

Q: Perhaps that's an unfair question.

A: Barbara, my elder daughter, was born three years after I was graduated from law school. My daughter, Julia, and my son, Joel, were born in 1955 and 1958, respectively. By the time I entered the legislature in 1965 I had a full family.

Q: Well, let's see now, you graduated in what year? 1948 would it have been?

A: Yes, 1948. I actually finished my course work at the end of 1947. But I stayed over some additional months in order to work with Professor Gregory on the labor law case book that we've discussed so that my actual graduation took place in March of 1948.

Q: Now you've indicated that by that time you had made up your mind you were going into practice. Did you have any particular direction in which you were going into practice?

A: Yes, I wanted to go into labor law.

Q: How did you think you would go about doing that? Joining a firm?

A: Yes, to go to work for a law firm to learn the nuts and bolts of the practice of law. It is the equivalent for a lawyer of a carpenter's apprenticeship, enabling you to learn the practical aspects of dealing with clients and counseling clients and learning how the court system works. It turned out to be much shorter than I anticipated. I had begun with a lawyer and that relationship lasted, however, only about six months. At that point the UAW and Max Raskin of Milwaukee whom I mentioned were interested in having me represent the UAW in the Chicago area. I was very pleased to have the opportunity and decided to go out on my own. I had a choice either of having some kind of status in which I as a house lawyer might occupy an office free of charge in the UAW headquarters in Chicago or of establishing my own office. While the attraction of not having overhead and rent was enormous, I decided that I did not want to be a house counsel type of lawyer.

And so I began my own law practice sharing space with a few young lawyers. We were all banded together in very small quarters, trying to keep overhead down, maintaining the appearance of a successful law firm while still trying to pay the bills, which was difficult when you first started practice. We had two rooms in our suite, and we would have to share the office. We might leave court with a client and then we would phone the office and say "Leave the office free. I'm coming back with a client." I would arrive with my client and walk self-assuredly into "my" private office. Each of us would do that to maintain the appearance with clients that we were not destitute, even though, in fact, we were perilously close to that state at the time.



Those were very exciting days. I look back on them fondly. It was a period that was totally unlike what the practice of law is today. Now young lawyers are paid large sums of money to work for law firms. I went to work for a lawyer before I went into my own practice. I had had experience with the two government agencies in the field of labor, the War Labor Board and the National Labor Relations Board, had satisfactory academic attainments and a publication, and I was paid the munificent sum in a labor law firm of seventy-five dollars a week. When I consider what some law firms pay first- and second-year law students now for clerking it's absolutely astounding. I have a young friend at the University of Chicago who, after his first year of law school, was paid more than \$600 a week by a downtown Chicago law firm to clerk during the summer.

Q: Times have changed.

A: Times have indeed changed.

Q: Well now where was this first firm? When you first came out and went to work for the lawyer, where was he located? Was he downtown?

A: He was in downtown Chicago, the Temple Building, 77 West Washington Street.

Q: And where was the suite of two offices that you rotated in and out of?

A: That was at 120 South La Salle Street. It looked a little like a Marx Brothers movie. I don't know if you remember those wonderful scenes when the Marx brothers would move all the furniture from one room to the next room. My first venture in private practice was a little like that.

Q: Were the group all graduates of the University of Chicago Law School?

A: No. They were from a variety of law schools. The common elements that bound us together were friendship, inexperience, and poverty. And we all wanted to start law practice with as little financial obligation as possible. Overhead is a terrible thing in the case of a young professional. You have to work very hard just to pay your expenses. One lawyer told me that he went a year without having a client walk into his office. Lawyers could not then advertise. Now, with newer developments in the First Amendment aspects of business communication, lawyers are permitted to advertise. At that time, however, you had to try to build up a law practice gradually. It was very difficult to do.

Q: Now you had a little jump here in that the UAW job came along. What did that entail? What did you do for the UAW?

A: I represented them in all kinds of legal proceedings at the National Labor Relations Board, and in court. I counseled them on all kinds of legal problems that affect labor unions. And I gradually became the lawyer for a number of members of the UAW who had individual legal problems. Combining those different elements I was able to build a law practice that became busy and profitable. I never had any problem in terms of having an adequate number of clients. I confess that there has never been a day in my life since I first hung up a shingle when I did not have adequate legal work to keep me busy that day. However, I had to work at it, and my fees were minimal.

Q: Well, how did your associates in the group do?

A: They developed good law practices as life went on and time went on. We shared the office. We did not share the law practice. They had their law practices, and I had my law practice. We simply shared space and a secretary. I think there must have been five or six lawyers with one secretary. And she did more than secretarial work of the usual sort. She answered the telephone and ushered people in and out in between the few desks that we

had there. Incidentally, one of the lawyers married the wonderful secretary we shared. And that same lawyer did well enough to contribute recently four and a half million dollars to the University of Chicago Law School to erect a new library that will bear his name — the D'Angelo Law Library! I remember the day when Dino could hardly afford a law book, much less a law library.

Young lawyers have to maintain a professional posture with their clients. If my clients had not thought I was substantial and established, they might not have been willing to trust me with their legal problems. They had to have confidence, and so it's necessary for the young lawyer to have a side of his life that is kept quite apart from what his client knows about. He has to keep up his appearances. He has to dress appropriately. We had to have a law office, we had to have our name on the door. The client is never told that you may have to deposit his check quickly else a check of your own may bounce. But that's the truth of it. In the early years of law practice, it really is difficult to make a go of it, if you're on your own.

Q: But you never had any doubts that you were going to make a go of it in those years?

A: I did not have any doubts. But in the process of reaching security, you have a lot of travails, particularly in the case of a young lawyer who has chosen to go out on his own earlier than most others. It requires speedy maturing. There are some anxious moments when new problems are presented to you which you have never encountered before. Fortunately, even though I wasn't working for a firm or another lawyer, I did have my colleagues who shared this little law suite, and what one of us didn't know, another was apt to know. So we shared our experiences. And if I had a problem in a particular field of law new to me I would hope that one of the other lawyers would have had a problem in that particular field already. From a client's point of view, inexperience is a cause for concern. But every lawyer has to handle a matter for the first time. If you were to insist that lawyers be experienced before they can handle a matter, it would be like that old law that said that every automobile approaching an intersection must halt when there is another car at the intersection and let the other car proceed first.

I had to get my first cases. And I was very lucky. I remember one. It involved a client who had made a deal to purchase a piece of property. It had been purchased under a contract but when the time came to deliver the property after he had made all of the payments, it turned out that the seller of the property didn't actually own the property. The seller in fact was going to try to acquire the property from somebody else. The seller refused to turn over the property to my client because he didn't have it, which was his defense.

I presented the case before Judge Elmer Schnackenberg, who had once been Speaker of the Illinois house. It was a hard fought case. I won. Judge Schnackenberg did not accept the defense that my client should not be able to acquire the title because the person he made the contract with didn't have the title, and he ordered the seller who had signed the contract with my client to go out and secure the funds to acquire the title in order to perform. The judge ordered "specific performance," as it is called, of the contract. The defendant was ordered to perform the contract he had entered — to acquire the title and then to convey the property to my client.

Now, the client in that case was the president of a local union. He was quite overjoyed at the results, and thereafter he referred many legal matters to me from among the members of his local union and occasional work for the union itself. I built up my private law practice from such recommendations. Step by step I was able to build a quite adequate legal practice. And it was not very long until I was able to, and in fact had to, hire additional lawyers to take care of the legal work that I was bringing into the law firm.

Q: These were other lawyers than those that you were associated with?

A: Yes. After a few years I was able to leave that . . . little suite at 120 South La Salle Street and acquire an office of my own. An office, secretary, overhead, the whole catastrophe, as they say. And from that point on I was on my own except for one very brief period of one year when I tried a partnership and left that. Then I entered a fruitful association with Irving Friedman on October 6, 1953, which became a permanent association that has lasted many years, and enabled me to discharge the duties of the legislature without neglecting private clients. Irv, Jerry Schur, Warren Eagle and others in the firm made it possible for me to serve in the legislature for eighteen years, along with my constituents who elected me. Citizen legislators depend upon their colleagues to cover for them when they are away.

Q: When you moved from the two-room suite did you move here to 7 South Dearborn?

A: No. I moved to 11 South La Salle. And I had space there for some time, though I have been here at 7 South Dearborn for many years. I suspect that we are probably their longest-tenured tenant here. I have a habit of staying put. When I went to Springfield I moved into the State House Inn. And I still stay at the State House Inn when I am in Springfield, probably their longest-tenured guest. When I came to 7 South Dearborn, at some point I moved into the suite that Joe Meek occupied when he was running for the United States Senate.

SESSION 4, TAPE 7, SIDE 2

Q: You knew Joe Meek then for a long time?

A: Oh, yes. I knew him of course in Springfield and thought a lot of him. He was always honorable. Anything he ever told me was true, which is the ultimate test of my regard for a lobbyist.

(taping stopped for discussion of outline, then resumed)

Q: Sir, actually then, your law practice when you started out was not just labor law. You were involved in a general law practice.

A: Absolutely. I have practiced in the traditional mold of the general practitioner, but with a specialty of labor law. The field of labor law is a very complex field. It is a rapidly changing field. It requires a considerable application of one's time to becoming expert in the particular problems that labor unions encounter.

Q: So you were involved with other labor clients than the UAW as time went on, I guess?

A: As time went on we acquired a variety of labor union clients. But the UAW was a very substantial underpinning that enabled me to get started. They were there when I needed them.

Q: What types of things came up in those early days with the UAW? Do you recall any of the cases that would exemplify how you were supporting them?

A: The UAW had just emerged from a period in which they had thrown out a leadership that the Reuther group felt were either Communists, or soft on Communists. A good deal of legal work arose as the UAW and the CIO, side by side, fought the battle to rid the American labor movement of Communist or fellow-traveller leadership. We had a lot of legal work where the UAW would seek to take over representation of employees in this plant or that plant to try to supplant unions that it felt were under Communist domination.

Q: What would a suit be like?



A: Well, in order to supplant a union, you would have to file a petition with the Labor Board and have hearings to persuade the Labor Board to conduct an election. Under American labor law, it is then left to the workers to decide which union they want. Similarly, we were involved in fights in the Chicago area involving unions that were corrupt. Our clients were trying to supplant corrupt unions. We were involved in litigation in the South, involving problems growing out of racial discrimination. The White Citizens movement in Memphis, Tennessee, tried to supplant the UAW at the International Harvester plant there because the UAW would not go along with the segregationist program and practices of the White Citizens League. We got involved in extensive litigation growing out of that or involving either discrimination against blacks or women.

And then there were all sorts of damage suits that were brought against a union that might grow out of an alleged breach of contract, or alleged disturbances on a picket line, in which the employer would seek to enjoin the union from picketing, or a member might sue the union for failing to represent him or her properly. We got involved in the whole field of wages and hours, in which we might sue an employer who was not paying minimum wages under the Fair Labor Standards Act. We sued to enforce health and safety standards. We became involved in unemployment compensation and worker compensation problems that affected members of the labor unions. And I became involved in the legislative process that affected the rights of working people. I was the principal labor spokesman on the Board of Unemployment Compensation advisors that negotiated changes with the employer and public representatives in regard to unemployment compensation laws. At that time the legislature simply enacted into law whatever this advisory group agreed upon. I tried to effect changes that would help working people. I was also involved in the worker compensation advisory group that negotiated with employers proposed changes in the worker compensation act.

Q: Was that a legislative structure or another organization?

A: It was not formally established by an act of the legislature as the Board of Unemployment Compensation Advisors was, but the outcome was exactly the same. Whenever this advisory group in worker compensation, consisting of employer and union claimant representatives, agreed on a change in the law, the General Assembly would automatically enact it into law. That went on for many years. The practice changed later when I was in the legislature. When I went into the legislature, I severed all activities with the advisory boards.

Q: I noticed you were formerly on that Advisory Board on Unemployment Compensation from 1961 to 1965. Was that a governor's appointment to that?

A: Yes.

Q: That would have been Governor Kerner, I guess, at that time?

A: Correct. A client, Bob Johnston, the regional director of the Auto Workers, had been named by Governor Kerner as his director of labor. I got to know Governor Kerner in that way.

Q: I understand at this same time you became a special advisor to both the governor and to Bob Johnston.

A: The governor asked me if I would help on what was popularly termed the Veto Force. The legislature in those days would pass almost all of its bills at the very end of the legislative session every two years. The governor would have to review all of those bills and decide whether to sign or veto them. Governor Kerner asked me if I would be part of this small group of lawyers who would assist him by reviewing all of the legislation that was passed. At this time Dawn Clark, now Senator Netsch, an enormously bright woman,

was the governor's legal assistant. He asked me if I would assist in the process for a limited period. So I worked with Dawn and with a few other lawyers after the 1961 session, and again after the 1963 session of the General Assembly reviewing the myriad of bills that the General Assembly passed during those sessions. Our job was to review each bill, to learn as much as we could about the bill, and to prepare a memo for the governor recommending whatever action we thought appropriate. And if the action we recommended was a veto, to prepare the draft of the veto for the governor to sign. That's what I did in the summers of 1961 and 1963.

Q: Were you paid by the state for this service?

A: I was paid by the state as a contractual employee. It was a modest sum, not enough to make it attractive to a lawyer, or even to pay his overhead. But I was very interested in the work, and wanted to do it.

Q: We skipped to 1961 in regard to political relations. During the 1950's, what type of political activity did you become involved in?

A: I became involved in the Democratic party in my local area, which was New Trier Township. We moved to Glencoe in 1952. And Ethel Mae and I became active in the Democratic party in our area. We had, and have, a very genteel Democratic party. It is one of the few political parties around that does not run on patronage. It's a totally different kind of Democratic party than you have in the city of Chicago. Ethel Mae was the precinct captain, and I would help her try to get our neighbors to vote Democratic. Our committeeman was Herb Paschen, who was later nominated for the governorship.

Q: Except for the "flower fund," might . . .

A: Yes, that's right, only to resign the nomination due to, I would have to say, the tyranny of the press. I'm a great believer in the press, but sometimes they can lose their perspective. They can hound a man out of his position. I think that that was true of Herb Paschen. What he had done was no different from what scores and scores of politicians have done, and still do — collect "dues" from patronage employees to make necessary political expenditures. I thought then, and still think, he was a very honorable person. I was sorry that he stepped down. His replacement lost.

Q: Was he instrumental in any way in your becoming active in the New Trier Democratic organization when you did?

A: You've got to understand that all you have to do to be active in the Democratic party in New Trier Township is just ask. They are desperately looking for people. It isn't as if you have to have influence to get a position. They are anxious to have people who will work. We were volunteers. There was nothing that would come out of it, other than a sense of satisfaction and the fun of doing it. People like that usually don't last too long. We had a lot of turnover in our Democratic organization. But Ethel Mae and I stayed around and worked.

Q: Well now had you been active before you moved to New Trier?

A: No, I was not active in politics in the city. Neither of us was ever a precinct captain or anything like that. Nor were we ever active in the Fifth Ward Democratic organization in the Hyde Park area. On occasion we might join in a temporary burst of activity for the IVI [Independent Voters of Illinois].

Q: Now you moved to New Trier. Do you recall why it was you decided to become politically active? Was there an opening or what . . .

A: There was an opening in our precinct. Ethel Mae agreed to be the captain. I agreed to help her. So I did. By and large we were active only right before the election, maybe from Labor Day to the election. We didn't engage in year-round political activity as a precinct captain at that time in New Trier Township.

Q: When you moved to New Trier how did you come to join the Democratic party as opposed to the Republican party? Was there any thought to perhaps the Republican party?

A: There was never any inclination on my part to go into the Republican party. I felt the Democratic party was the party of the intellectual, the working man, the progressive. I was very taken with the leadership of the Democratic party. I was a Roosevelt enthusiast. It never occurred to me that I would ever be a Republican, or that I would ever have any interest in becoming one. And it still hasn't.

Q: Let's drop back a little bit now. When you were in law school, that would have been in the Kelly era here in Chicago, Mayor Kelly.

A: Right.

Q: Did you in any way support the Kelly regime during that time?

A: No. I think I have already alluded to the episode in which I was in the galleries doing whatever I could to interfere with what Mayor Kelly was trying to do at the convention. I was always anti-organization.

Q: How about Kennelly when he came along? He was supposed to be kind of a reformer — at least in the thoughts of some . . .

A: Well, he never impressed me very much either, but, in general, I was not active in Chicago politics. I read about it and I followed it. But I had no direct involvement other than as a voter and as a person who talked to his friends about the political process.

Q: How about Paul Douglas? When did you first meet him?

A: I first met Paul Douglas when he was on the campaign trail. I would see him in different political settings. I would campaign with him from time to time. But that came later. During the early years, I really did not know Paul Douglas as a professor. Even though he taught labor economics, he was not on the faculty when I was taking courses at the university. I was an enormous admirer of Paul Douglas, but our paths did not cross.

Q: How about Robert Merriam? He ran against Daley, I guess, for the mayorship, and came from the University of Chicago. Did you know him?

A: I knew him only casually, only to say hello, and to exchange pleasantries. I studied his father's book in political science. I really had no close involvement when I was at the university with the public officials who were then running Chicago or seeking to run Chicago.

Q: What was your feeling when Mayor Daley came along? Were you supportive of his move for the mayorship?

A: Yes. I thought that he was a very able man, and I hoped that he might carry on some of the great tradition of Jake Arvey in slating people like Adlai Stevenson and Paul Douglas for high office in the state.

Q: Had you had occasion to meet Stevenson in any way in the 1950's?

A: I remember once hearing Stevenson when he introduced Governor Harriman at a meeting in Chicago. Stevenson was then the head of the Chicago Council on Foreign Relations,



which held a big meeting for Harriman. Mr. Harriman was interested in being a candidate for the presidency of the United States. The introducer of the presidential candidate stole the show. This was before Adlai Stevenson was a candidate. He so eclipsed Governor Harriman that it was extraordinary.

Q: It wasn't intentional, I guess.

A: No, I don't think it was. I think that he was a man of such charm that the whole audience was taken with him. I never lost my admiration for Adlai Stevenson from that point on.

Q: So you weren't involved in any way in getting out and pounding the streets for Stevenson or any of the individuals during the 1950's?

A: Ethel Mae was proud of the fact that our precinct — Precinct Two of New Trier Township — was the first precinct in New Trier Township ever to carry for a Democratic presidential candidate. But our efforts in Precinct Two were carried on in a relaxed fashion.

Q: By relaxed, do you mean the intensity of the campaign?

A: Yes, most of the work was done in the month before the election. On election day the precinct captain in fact had polling sheets that enabled her to know how the people in Precinct Two were going to vote on Election Day. In general, the women in New Trier ran the precinct organization; the men were basically downtown working. The Democratic organization was growing, and there was a good deal of excitement and hard work being done. Suburban voters can't be controlled in the way that you may control city voters. They tend to follow their own inclinations and proclivities. But the women rang doorbells, made phone calls, and followed up the friendly "plus" voters on election day to make sure they voted.

#### SESSION 4, TAPE 8, SIDE 1

A: The other interesting fact about suburban politics in those days was that it was so heavily Republican. The electorate was overwhelmingly Republican. I remember a story told to me by a Democrat from Chicago who moved to Northbrook in the early 1950's. He went into the polling place in Northfield Township to vote on election day, and he wanted a primary ballot. This was back when they had paper ballots. And he was automatically handed a Republican ballot. He timidly inquired of the polling official if he might have a Democratic ballot. Well, the polling official was absolutely indignant. They argued a few minutes, and finally the polling official reluctantly agreed. Against her wishes, she opened the package of Democratic ballots and handed him a ballot. In those days it was the practice in that precinct not to even open the package of Democratic Party ballots that was delivered from downtown!

Q: Do you recall any particular activity in support of Jeanne Hurley?

A: We pushed Jeanne Hurley in every way that we could. We had a coffee for Jeanne to support her. She was an ideal kind of candidate — a Democratic Frances Dawson, you might say.

Q: I see.

A: And only due to the — may it rest in peace — multi-member cumulative voting system were we able to have both of those fine women in the house at the same time.

Q: You didn't do anything to support Frances Dawson, I guess.

A: Frances and I were on opposite sides of the political fence. I admired her as a legislator.

Q: Did you have occasion to discuss issues with these individuals, like Jeanne Hurley?

A: I talked to Jeanne about issues. But you have to understand that Jeanne and Paul Simon and I — you know, people like that — came out of the same general political mold, and we shared the same point of view generally.

Q: Well, she wouldn't necessarily be expected to be expert in the field of labor relations. Now for example I believe it was in 1961 the question came up as to the extension on unemployment compensation. I believe they extended it to thirty-five weeks. On something like that, did she come to you for advice on what to do?

A: Due to the agreed-bill process all legislators of both parties supported whatever the governor's advisory committee recommended. There was no critical evaluation of the package of legislation that came out of the governor's committee. Indeed, there was an understanding between management and labor in Illinois, which included all of the employer associations and all of the labor organizations, that not only would they support the full package of legislation that emerged from the advisory committee, but they would also agree to do everything they could politically to kill any other legislation introduced in that field. So there was no lobbying that needed to be done for any legislator's support during that period on unemployment compensation or on worker compensation.

Q: So in effect you really started as a legislator in 1961 then, I guess, in some sense?

A: In that sense, yes. I did get involved in the political process earlier. I occasionally testified before committees in Springfield on labor matters, and even addressed the house sitting as a whole on one or two occasions, when they were considering other kinds of labor legislation on which there was not an agreed bill. There's no doubt about the fact that during my period on the Board of Unemployment Compensation Advisors and as a member of the worker compensation advisory group I was engaged indirectly in the process of enacting legislation.

Q: Where were most of the meetings of those organizations held? in Springfield or here in Chicago?

A: The first meeting would usually be held in Springfield. In those days worker compensation legislation would go to the Judiciary Committee or the Labor Committee — it was wherever Rube Soderstrom wanted it to go. Rube was the beloved president of the State AFL [American Federation of Labor] in Illinois for years and years. He was a Republican who had himself once served in the house. He had a lot of influence in the General Assembly. In those years the Judiciary Committee usually was assigned worker compensation bills. The chairman would speak, extend greetings, advise us of the importance of our work, urge us to be diligent, and to come back with a package of bills that would be fair both to the working people of the state and to the management and industry of the state. Sometimes there might be a speech or two more. Rube might make a speech.

And then we would hold a series of meetings in Chicago. Each side would come in with a long list of proposals. The field was technical, and you had to know the technical aspects of the operation. We would carefully consider as a group all of the proposals, including proposals for increases in rate structure to take account of inflation, and it would be like a collective bargaining session. And finally, out of it all we would come up with a total package that both sides would support, and the legislature would enact it.

Now, in unemployment compensation, we would hold similar meetings. Here, however, there were public members, and sometimes they might come in with a proposal for us to consider. But the result would be the same, that we would try to reach agreement on a

package and ordinarily we did. As years went by, the labor people in the state felt that the benefits that the employers were willing to give to the injured and to the unemployed were not adequate, and the process broke down. But I was involved in it while it was in its heyday. The process viewed in one way made a lot of sense, even though, viewed philosophically, it derogated the exclusive right of the General Assembly to consider and pass legislation.

Q: Were there members of the legislature that followed closely what you were doing during your deliberations?

A: No. We would occasionally summon a member of the legislature, chairman of the committee or someone, if the parties weren't able to agree. And that legislator would, to some extent, operate as a conciliator and try to get us back to the bargaining table. But to tell the truth nobody in the General Assembly followed either of those fields very closely, or followed the work of the advisory groups very closely. As long as industry and labor agreed, the General Assembly was perfectly willing to enact the agreement into law, perfectly willing not to consider or pass into law any other bill in that field; and the governor of the state was perfectly happy to sign into law the bills that had been agreed upon between labor and management.

Q: How about Bob McCarthy? I understand he was interested in that type of legislation.

A: Well, Bob was interested in the legislation as a member of the senate. But he was not part of the agreed-bill process. He did excellent work in his role as a legislator in the worker compensation field, but that was as a legislator, not through any involvement in the agreed-bill process, as I recall. His legislation marked the death knell of the agreed-bill process in Illinois.

Q: Were there any occasions where the agreed-bill kind of hung up and you had to go before the committees in order to un-hang it, as it were?

A: Yes. There were occasions when we did that. But they were few and far between. Once the labor forces were dissatisfied over lack of agreement and they tried to push some legislation independent of the agreed-bill process. They were able to get a bill past the house, but it went to its burial in the senate. In fact, a stalemate existed in the General Assembly and unless agreement could be reached, there would be no changes in the unemployment or worker compensation system for that biennium. In a similar situation, Will Rogers once reported, "Good news from Washington tonight, folks. The Congress is deadlocked and cannot act."

Q: Now the stalemate was caused by the Democratic control in the house, and the senate being controlled by the Republicans, is that right?

A: Well, that's one stalemate, but the other stalemate was where the labor forces and the employer forces on the advisory committees could not agree. And if there was a stalemate there, nothing was accomplished.

The legislators liked the system. It had two great advantages for them. It did not expect them to acquire expertise in the niceties of this complex kind of legislation. Second, it enabled them to satisfy both the employers and the unions and the working people in their own districts. The legislator could appear before an employer group and honestly say, "I supported your unemployment compensation and your worker compensation legislation." And that was true. And he or she could appear before the unions and say, "I was right there with you. I supported your worker compensation and your unemployment compensation legislation that got you a 12 percent increase in benefits this year." From that point of view it was an ideal situation.



Q: Well, why, I wonder, did it continue as a governor's advisory board, and not as a commission for the legislature? Was it felt that the governor had more of an interest in it. (chuckles)

A: Both agencies are administered by officials appointed by the governor. At that time the Industrial Commission was actually part of the Illinois Department of Labor. It has since become independent. The division of unemployment compensation was part of the executive branch. The governor was there twelve months a year, twenty-four months during the biennium. The legislature was not there much of the time. And so it was really not surprising that the governor took the leadership.

Much of our work necessarily had to be done before the legislature went in session. What we were trying to do was to come up with a package of bills that the legislature could enact. So we tried to do our work before the legislature came in, even though, in the real world, it usually didn't work out that way. With the incentive of the legislature being in session and the threat that they might adjourn without legislation, unless you got off your duff and came to some agreement, an accord would ordinarily be achieved in time to be enacted into law. The governor played the leadership role.

However, you mustn't underestimate the relationship between the leaders of organized labor and the leaders of the employer associations. They knew each other very well. They dealt with each other at a very close range. They had a common problem. And they assumed a lot of leadership. But sometimes it worked through the public official. In other words, when the governor issued a call to his Board of Unemployment Compensation Advisors to view and review the existing legislation in unemployment compensation, you can be very sure that somebody had been to talk to the governor, either Rube Soderstrom or maybe Joe Meek. The governor was not self-propelled in the situation. Similarly, in worker compensation, when we went to Springfield to sit with the chairman of the Judiciary Committee, you can be very sure that Rube Soderstrom had been visiting with the chairman of the Judiciary Committee, and that the chairman of the committee was issuing his call because he had been requested to do so by Rube. The employers were happy that it was done that way. Obviously they liked the process or they wouldn't have participated. But there was a certain existing ritual. Ritual is terribly important in our society. The ritual of the occasional involvement of the governor, or of a leader of the legislature, was important to the agreed-bill process.

Q: Well, it does seem taking it out of the field of the legislature and placing it in the governor's hands is placing it in a small group of people that have been formed for this purpose.

A: Well, that's absolutely true. I indicated before that sitting where I now sit I have some philosophical doubts about the wisdom of the process. And even when I became a member of the legislature I had some philosophical doubts about the process, and was glad to see it eliminated. On the other hand, you must give the devil its due. These were not trivial groups. The employer associations in fact spoke for a huge number of employers and interests allied with employers in the state of Illinois who bore the costs. And the labor groups spoke for a very large number of Illinois workers who were exposed to injury and to unemployment. They gave it their good faith effort. While it lasted, the system worked well. We should be cautious about evaluating institutional arrangements from the perspective of a different generation or a different time. One can't fairly depreciate Abraham Lincoln as a human being by finding out that Lincoln may have practiced racial discrimination in an aspect of his life. You have to evaluate Lincoln by what was going on, and the conditioning he had at the time he lived. In the period of the 1940's and the 1950's the agreed-bill process resulted in a large number of improvements in the unemployment compensation and worker compensation systems, from which millions and millions of working people in Illinois benefited, and which were fair to employers.

Q: I guess this really in effect wouldn't be so much different from the Chicago Bar Association and the Illinois Bar Association getting together and working out the judicial reforms that were felt to be needed at that time.

A: Yes, that analogy is a very good one. However, when the bar associations get together and come in with, let's say, a new judicial article, there is a full opportunity for debate and consideration of the proposed amendment when it comes to the legislature. And that is where the agreed-bill process system is faulty. In other words, once the agreed bill reached the legislature, that was the end of it. It was rubber-stamped. Any legislator who had a different idea on the subject could not even get his bill considered, whereas, in the comparable field you were talking about, another legislator could in fact propose a different judicial article if he wanted to. He wasn't likely to get it passed against the overwhelming strength of the different groups that are involved in that kind of reformist project. But he could at least have it considered.

Q: Where was the decision made as to whether it was going to be an agreed bill? Was that in committee that . . .

A: It was a decision unanimously reached among the representatives of the various participating interest groups. I cannot tell you when the process began. It had been going on for many, many years when I arrived on the scene. It was the accepted practice. It was the thing to do. And I indicated earlier that from the point of view of the legislators it had some very attractive features.

Q: Come to think of it, John Fribley was involved with it back in about 1938 or 1939.

A: It had been going on a long time. And I will tell you, during the greater part of that period in which it was going on, the Illinois senate was under the absolute control of the Republican party. It was only with the one man, one vote concept and the redistricting that that body ever had some influx of Democrats. Therefore, if not for the agreed-bill process, there would have been no improvement in the unemployment compensation system or the worker compensation system because the employers would have turned their thumbs down and the senate would have rejected the bill.

#### SESSION 5, TAPE 9, SIDE 1

Q: You were living down around the University of Chicago. And then you moved out to Glencoe. Why did you make such a long move?

A: My wife and I were attracted to Glencoe because of a development of contemporary houses designed by an architect we admired, George Fred Keck. When we learned about these houses that were constructed on a project-kind of basis and were available for much less than would have been the cost for a custom house, we decided to move into Glencoe. We were attracted by the wooded nature of the area, and by the fact that the homes were modern and solar-oriented, long before this kind of architecture became popular in the United States. We liked the fact that it was a one-story house. We also liked the location near excellent transportation, the Chicago and Northwestern, Eden's Expressway, and the fact that the development was within easy walking distance of a nearby school. The Glencoe schools were good and the community had a casual quality that appealed to us. Those were the factors that caused us to leave Hyde Park for Glencoe.

Q: Do you feel any regret at leaving the Hyde Park area?

A: Well I would not want to say that I don't have any regret. I think the Hyde Park area is, next to Glencoe, and possibly Evanston, about the nicest living place that I have known around Chicago. But we were glad that we made the move; we have never regretted it.



Q: Let's see, did you have children when you made that move, or was that to come yet?

A: We had two children, a son who was four, and a daughter who was two. It was January of 1953 when we made the move. Two other children were born in Glencoe and we continue to live in the same house we bought in the latter part of 1952.

Q: Did you find the school system there to be what you had expected for the children?

A: We found it to be a very excellent school system. The Glencoe schools were a part of the "Lighthouse Schools" tradition of the North Shore.

Q: What's the significance of the term "lighthouse?"

A: It implies that the schools in the North Shore area stood out above the schools in the rest of the state, and that you could look from afar and see the Glencoe schools and the North Shore schools. This isn't a term of my making. It is a term that I have heard many times in describing the school systems of the North Shore.

Q: How much involvement did you get in the PTA [Parent-Teacher Association] sort of thing with the school there?

A: My wife and I were active in the PTA. Neither of us was ever an official of the PTA, although from time to time we would undertake some assignments. There was really no great activity on the part of the PTA that was in any way critical of the operating officials, the superintendent, and the staff of the schools. The PTA worked as an adjunct of the educational establishment, if you would want to call it that. And we participated in trying to help the schools in whatever way that we could.

Q: Do you recall any issues that came up in the school system there at that time?

A: No, the only issue that arose in the community was the question of the construction of additional schools. When you have a lot of young parents in a community, class size inevitably starts to rise. The community faces the choice of whether to let the class size increase or whether to build new schools. The community responded by building new schools. There was no significant movement among the parents, or, indeed, the community to view the problem in its longer term perspective. For example, we have since closed two of the four elementary schools in our community, schools that we built at considerable cost.

Q: Was there any anticipation at that time that that might be the case?

A: None whatsoever, in spite of the fact that it was a community where people made long-term planning decisions in connection with their businesses and careers. No one really viewed the long-term effects of school construction. Or perhaps, put another way, I think none of us were very interested in sacrificing, if I might use that word, the quality of our children's education by tolerating significant increases in class size. At that time it was the general belief that the quality of education was determined to a major extent by class size. I think that some of the studies that have been done since have raised some serious questions about that conclusion, but it was not questioned at that time.

Q: Did you get involved with the development of these additional schools in regard to planning committees or anything of that nature?

A: No. That was done by the Board of Education, and I never was a candidate for any of the positions on any of the various boards of education in the community. I was at one point a member of the board of education in our religious congregation, but not in the public school system. And the religious congregation we were members of did not have any kind of secular school.



Q: Did the religious people in that area, or the religious population, have anything to do with your moving to that area?

A: I was attracted by the heterogeneous nature of the community. The religious preferences in the community were about equally divided, about one-third Protestant, one-third Catholic and one-third Jewish. That was an attractive feature, and, indeed, has remained an attractive feature of the community.

Q: In your earlier life you had said you lived outside of a Jewish community and had to commute to the Jewish community. So you didn't have this type of thing there, but did that have any impact on your selection up there?

A: I think that it probably did. I've not really thought about that question that you raised. I think that I did prefer to live in a community where there were a significant number of people who shared my religion. I'm sure that it played a part in making me want to live in that community, even though that was not a reason for leaving Hyde Park. Hyde Park, like Glencoe, had a diverse constituency.

Q: Why do you think it strengthened the community to have this diversity?

A: Well, I think that it's very much like a symphony orchestra. I believe that having differences adds to the quality of life. I do understand the long tradition of ghettos both in the Jewish community in Europe and in the racial ghettos of the United States. But I believe that it adds to the richness of life in the community to have different instruments playing, different groups participating. It's a qualitative judgmental decision that I can't support on any statistical basis. But having lived in different kinds of communities, I feel instinctively that it's a sound conclusion.

Q: What was the economic level of the people who lived there?

A: Glencoe was a well-to-do community in relation to other suburban communities. Its average income was very high, but not quite as high as Winnetka, the community immediately to the south of us. There is no question but that all of the studies about the demographics of the area show Glencoe to have a significantly higher average income than most of the suburban communities.

Q: What was the economic makeup of Glencoe? Were there any factories around?

A: No. Incidentally, that was one of the problems that developed with regard to financing the school systems. There were no factories. It was one of the few suburban communities that had a significantly-sized black community. It was an established black community that dated back a long time. There has been no racial tension in Glencoe. The black community at that time tended to be concentrated into one area. Subsequently, a black family moved into my area in Glencoe, and this never caused the slightest ripple. We had a party in the neighborhood to introduce them around. I got a certain wry amusement some years later when they had done so well economically that they moved to a more affluent area of Glencoe.

Q: What was the general economic level of these blacks in that area?

A: It varied. Years ago they were economically far less affluent than the white community. As time went on, and blacks moved into . . . enhanced positions in the community, became professionals and business people, some blacks tended to reflect the higher economic level of the community. There is no doubt that historically they were not as well-to-do as the white community. But they were a self-sustained, economically adequate, solid part of the community.

Q: Do you think that level, not being at the welfare level, had something to do with the ability to integrate in that community?

A: Yes, I believe that it helped. But it was also helped by the fact that blacks started to be better educated. Blacks attended the same schools as whites in Glencoe. They attended New Trier High School. Blacks tended to have better educations than blacks in other areas were able to achieve. There is no discernible racial hostility in Glencoe, and it is quite unlike the situation that exists in some other areas of the state.

Q: Were most of the people in Glencoe then commuters to elsewhere?

A: Yes, we were, and still are, a bedroom suburb. Most of us commute by the Northwestern to Chicago.

Q: So you've done that for quite a number of years then, since 1952?

A: I have commuted to Chicago for many years. Of course, I also commuted to Springfield for many years, when we were in session, every week though, rather than every day.

Q: Do you ever get tired of commuting?

A: No. I enjoyed it, both to Springfield and to Chicago. In the early days, when I was in the legislature, we used to go down by train. There was a whole mystique that came with travel by train. Unfortunately that has tended to disappear from the American scene. Like everyone else, I moved to airplanes as a method of traveling to and from Springfield.

Q: How far is Glencoe from O'Hare?

A: It takes about thirty minutes to drive or to get a limousine from my house to O'Hare.

Q: What about the family life in Glencoe? Was it an enjoyable sort of place to live?

A: Oh, very. It was an excellent place to live. There was lots of activity. The schools would have father-son or father-daughter occasions. The fathers would play touch football in the street with their children in those days. The fathers were young and vigorous for the most part, and we had great athletic contests with each other and against our sons. In those days the women's revolution was scarcely heard. As a matter of fact, an episode occurred that I will never forget. My father was in the insurance business, as I mentioned to you. When the children were very young, he insisted on selling me educational insurance policies. Now, I had two sons and two daughters. And my father insisted that I should buy the educational insurance policies for my sons. It never occurred to him or to me or even to Ethel Mae that there was anything untoward about buying educational insurance policies only for your sons. As my father explained to me, the boys would have to be supporting wives and families, and if anything should happen to me, it was very important that they complete their education.

So I bought the educational insurance policies from his company, the Metropolitan, and they sat in the safety-deposit vault for many years. Time passed; it came time to cash them in. One night at the dinner table I mentioned that the first one of these policies was now due. The children started questioning me about it, and the girls discovered that I had taken out educational insurance policies on the boys, but not on the girls. I'm not sure who was more furious with me. Perhaps the boys were more furious than the girls. But I will never forget the absolute fury with which this discovery was greeted by my children.

For me, it was an indication of the way the times change. When I bought those policies I had not intended to discriminate against my daughters. And yet, by the time the first policy matured, what I did was totally unthinkable. The boys insisted that the money be divided equally, so that the insurance proceeds from the educational policies for the two sons were divided among the four children. But father was duly chastised about his Neanderthal

views, and when I tried to explain to them that I simply did what my father had recommended, they found that a most unappealing and unacceptable argument. They thought I was a sexist. And I have wondered whether, in fact, I did have some latent sexism that caused me to wander into this hornet's nest without the slightest notion that I was doing anything inappropriate.

Q: Quite a change in twenty years there.

A: Yes. Just incredible the change that took place in that period of time. We have lived through a few decades in which social mores and customs and beliefs have changed so radically that no other time in history compares.

Q: Sir, you have a couple of times indicated that you thought yourself to be a workaholic. Did you have to make much of an effort to find time for the children?

A: Yes, it did require an effort, and I don't know that I ever succeeded to the extent that I would have liked. Political life was quite consuming. And an illustration of the effect on the children was an event that my wife, Ethel Mae, described to me and that I remember very well. When I first started running for office, my son, Joel, was five years old. One Sunday afternoon I was at a political picnic, and I was busily engaged in shaking hands as politicians do, greeting this constituent and that constituent. And Ethel Mae told how Joel was calling, "Daddy, Daddy," somewhat poignantly, and perhaps a bit pathetically. And Daddy never turned. I was much too absorbed in all of the constituents who were there, and all of the lower level party officials, precinct captains and so forth who were gathered. Joel kept getting more and more frustrated. Finally, he reared himself up to his full height and he shouted, "Mr. State Representative!" and I whirled around to him.

It is very easy to neglect children when one is in political life. In retrospect, I did not give them as much time as I should have done. I did work very hard both before and after I entered political life. But it was particularly the case after I entered political life because I kept up my law practice, and kept up my interests in various kinds of intellectual activities. And I'm afraid that to some extent it was at the expense of spending more time with the children at home.

Q: There wasn't an awful lot of change then when you went into the legislature from what had been the situation prior to that time.

A: When we talked before I was talking about a period when I was at the university, when I was very occupied. I think there's no question about the fact that after I entered the legislature, I had less time at home. It was necessarily so. When you are at the office, at least you come home in the evening. But when you're in Springfield, you can't come home in the evening. Political life did result in some sacrifice of family life. Even at home, there were always telephone calls.

Q: What about travels during the years before you became a representative? Did you travel much with the children?

A: We took a lot of trips during vacation period. We would travel to different parts of the country. We would take driving trips with the children. When I was not on vacation, however, I was inclined to be very absorbed in my professional life. Unfortunately, being a lawyer is not an activity that one can do just during the day. I would have work that I would bring home with me at night. There were pleasant times at home, but there is no doubt about the fact that the combination of a busy political life and a busy professional life is not ideal for having an adequate time to spend with one's children.

Q: Where did you go on some of these trips?



A: Well, we went to the national parks in the west, and in the east to the Smokies. Occasionally we went to vacation resorts on the Florida coasts in the winter months. We would visit Nashville, my hometown. We would visit with my parents, who had moved to Denver. We got around the United States, and Ethel Mae and I would take some trips abroad alone. I always insisted on vacation time.

# SESSION 5, TAPE 9, SIDE 2

Q: When you went off on vacation, were you able to put your work behind? Or did it stick with you through vacation time?

A: I did leave my work behind. I would not want to say to you that I didn't from time to time get absorbed with some of the problems I was wrestling with. In legislative and political life you're always worrying about this problem or that problem. But I did about as well on vacation as most of us do, I suspect.

Q: Before you ran for the legislature, did you get involved in the municipal government in Glencoe?

A: No. My wife participated in the caucus system, which is the way our government is run. It's a municipal government, and the election of local officials is on a nonpartisan basis, there being a caucus that nominates successors. Ethel Mae participated in that. But I did not. I did have a very demanding labor law practice, not like a nine-to-five probate practice.

Q: Why is it different?

A: You run into strike situations; you have emergencies that have to be dealt with immediately. You get notice at the end of the day that you have to be in court in the morning, that an injunction is going to be sought against your client. Once at the very end of the day, a messenger arrived at my office door with a notice of motion that the employer the next morning was going to seek an injunction against a labor client. My secretary was still there, and I tried to get her to do this on an emergency basis. But she found the pressure too great. She finally said she just couldn't do it, and she left. Fortunately, I had studied typing when I went to high school in Nashville, Tennessee. So I sat down at the typewriter and typed the pleading that I had to have that night; it was ready by the time I went to court in the morning. It is a demanding kind of practice in which your clients don't hesitate to call you about their problems at any time, and in which they frequently find themselves in emergency situations that require extraordinary legal services.

Q: Now in Glencoe you didn't have a situation where you could be related on a day-to-day basis with laborers?

A: No.

Q: Was there any occasion for you to have that sort of acquaintance? That is, out at the factories? Did you go out and mingle among union workers?

A: Oh, yes. I had many acquaintances in unions that we represented who were employed in factories in the area, and, indeed, all over the State of Illinois. I did mingle with them. I knew many working people, but, with rare exception, they did not live in Glencoe. Indeed, they did not live in my district.

Q: I was wondering what sense of actual feel for the laborer's point of view that you were able to gain?

A: I had a lot of sympathy for the laborer's point of view as a result of having been brought up during the Depression under most modest circumstances in Tennessee.

Q: Now, you say you didn't get involved particularly with the municipal government in Glencoe, but your wife did.

A: Yes. Ethel Mae never was interested in running, nor did she ever run for the village board or any position other than a position on the caucus. As a member of the caucus, she played a significant role in slating a variety of people for the village board. She was occupied in raising four children and had no interest in standing for office in the local community, either on the school board, the park board, or the village board.

Q: Do you recall any issues that came up in the Glencoe area that called for legislative action, so that you contacted a legislator?

A: Are you talking about something that would have caused me, personally, to contact my legislator?

Q: Yes, or been involved with a group that requested legislative action of someone?

A: In connection with my law practice in my role as a labor lawyer, I had testified a number of times before the legislature on behalf of groups wanting legislative action. I had testified before various house or senate committees, and I had, in fact, testified at some length in a committee of the whole hearing in the house. So I was rather used to going to Springfield. I did not do it as a regular weekly routine, but it was not unusual for me to be asked on behalf of a client to testify in Springfield.

Q: So the legislature was not completely alien to you when you arrived down there?

A: Oh, no. I knew it, and I knew some of the legislators.

Q: Did you have a Democratic legislator from that area at that time?

A: Yes. Jeanne Hurley, who went on to marry Paul Simon, was the Democratic legislator from the area. Bob Marks succeeded her as the Democratic legislator. However, Jeanne Hurley came from New Trier Township, whereas Bob Marks was from Evanston Township. And I knew Jeanne Hurley well, and admired her.

Q: Now, you had gotten involved with precinct work in Glencoe, so your infrequent trips to the legislature and precinct work were about the amount of your political activity?

A: My wife did most of the precinct work. That's the pattern of suburban Democratic parties. While the men toil at their offices downtown, women do most of the actual precinct work.

Q: Who was the committeeman at that time, do you recall?

A: Herb Paschen was the committeeman during the period from the time when I moved out to Glencoe until 1962. He was replaced by Phil Dodge, another very decent human being, who had been very active in one of the great movements, the co-op movement. Dodge became the committeeman and remained the committeeman until the beginning of 1966. At that point Mike Gomberg, now an able judge, became the committeeman briefly, only to be defeated in a hotly-contested race in 1967 by Lynn A. Williams, a most extraordinary man.

Q: How closely were you associated with these people? Did you get to know them quite well?

A: I knew them well, but not intimately. I would have to draw the distinction. Ethel Mae and I would go to headquarters and we would meet with the committeeman and other party activists. After I became a legislator, I got to know and admire Lynn Williams and very

much enjoyed working over the years with Lynn and his wife, Dora. In the early years my wife had more to do with local party matters than I.

Q: And generally this was more supportive of your wife's activities than yours?

A: In the early years, yes. She did more precinct work than I. But I was very interested in state issues, and always had been very interested in state issues, and to some extent we would work together.

Q: And at these committee meetings, were there discussions of state issues?

A: Very little at that time. Under Lynn Williams' leadership our Democratic party became more issue oriented. We held meetings in the headquarters to discuss political issues, even though they had a tendency to be national political issues. At that time we would try to support all of the Democratic candidates. As the years went on, we became more selective, singling out particular Democratic candidates that we thought unusually worthy, and in rare instances, eschewing Democratic candidates that we felt should not be supported.

Q: Were there any political organizations, such as the Independent Voters of Illinois, that you joined at that time?

A: When I lived on the south side of Chicago I had been active in the Independent Voters of Illinois. When I moved to the suburbs there was an Independent Voters of Illinois chapter in Evanston, but I had no significant connection with it. I let my membership in the organization expire. I became more committed to the idea that for me there was an advantage in working within the party, rather than in an independent political organization. From that point on I did not have any significant involvement with the IVI, except that I was lobbied by them as the years went on.

Q: Now, you say there was a gradual change toward wanting to become part of the Democratic party itself. Did this occur prior to your first election, or afterward?

A: That was prior to my first election, and it was one of the reasons why I decided to seek public office.

Q: You have indicated that you were an outsider or a loner. Why did you go from a more independent view to a more party-type view, if that's the way to express it?

A: Well, I was always a do-gooder. I always had an interest in trying to reform the world. And I concluded that one could do more by being involved with a party than one could by being involved with an independent group that operated outside of the party structure. I also concluded that, while I like to win cases for individual clients, I did find quite attractive the idea that you could pass a law and change an unsatisfactory situation for twelve million people, just like that. Indeed, as the years went on, I found how relatively easy it was to pass laws that affect so many people. And that was a factor that caused me to run for the legislature.

I was at the Glencoe station one morning. It was at the time when, due to the failure of the legislature to reapportion, the General Assembly had to run at large on the orange ballot. The Democrats were going to have to field a slate of 118 people. And I happened to see a friend, Joe Schneider, who is now an outstanding judge in the Circuit Court of Cook County. Joe, who was active with the New Trier Democratic Organization, said, "I've been thinking that we ought to slate you as our candidate for state representative. If we did, do you think you would accept it?" And I said, "I haven't thought about that, Joe."

I went down to my office and thought about it for about fifteen minutes. I had already gotten very interested in state government. I had already worked on the Veto Force with



Kerner. And so I gave Joe a call at his office, and I said, "I've been thinking about your suggestion. If you and Phil," — being Phil Dodge — "and the others in our party wanted to slate me, I would consider it very seriously."

It lay dormant for a few days. And then I was told that there would be a New Trier slating committee meeting at Phil Dodge's house, and was asked to come to the slating meeting. I went. They interviewed me and several other candidates, and subsequently advised me that I had been selected to be recommended to downtown. And that is how I happened to end up as a candidate for the legislature. I don't know what would have happened if I hadn't met Joe Schneider at the train station that morning.

Q: Apparently, they were thinking of you at that time, so it might have come from another direction, do you suppose?

A: Well, it might have. You never know about those things. When I thought about it a few minutes, and gave my wife a call, I decided that it wasn't a bad idea. I had no idea that I was going to do it for a long period of time. I thought it was a very special election, which it was, unique in Illinois history. And I had no intention, as I explained to my wife at that time, of becoming a somewhat regular member of the General Assembly.

Q: Was anything said at that time about it being a one-term thing?

A: Nothing was said about it. But when the slatings came out, there were 118 Democrats. And there were three from my legislative district: James B. Moran from Evanston, formerly the president of the Evanston Democratic organization, and a superb human being; another candidate from my township, John A. Kennedy, an equally fine fellow, who was a businessman from Chicago, and a close friend of Jim Ronan, the state Democratic chairman; and myself. I think the party leaders were interested in fielding a slate that had statewide appeal. I had a law practice that took me around the state a good deal. John Kennedy was a successful businessman with a magnificent name. And Jim Moran, now a federal district judge, was a fine lawyer. So, we were all three on the ticket. I guess it was fairly clear to anybody that once the two years ended and they started having elections in the usual way, there would be only one of us back.

Q: How much do you think the Blue Ribbon part of it entered your selection? Did they like the fact that you came from the University of Chicago and were an intellectual?

A: I think that helped in terms of getting the nomination. It helped in terms of the party slating. The fact that I represented labor unions with members all over the state undoubtedly was a positive factor. Ordinarily the party is interested only in your appeal within your legislative district. That's where the votes will come from. When you're all running statewide, the party has to try to put together a ticket that will have appeal statewide. The party leaders were trying to field what they called a Blue Ribbon slate. That was to become the theme of our campaign.

#### SESSION 5, TAPE 10, SIDE 1

Q: I would like to drop back a moment to your transition, from the more independent view to the more party-type view. You say that you began to feel that you might be more effective within the party than as an independent. Can you think of any incidents or types of things that caused your change? For example, in observation of people like Leland Rayson's attempts as an Independent, did that enter into it in any way?

A: As the years went by in Springfield I came increasingly to the view that party activities were very essential to the political health of the community. I knew Leland very well. He's an extraordinary man, and he has some delightful qualities that would appeal to

anyone. But there were clearly some differences in viewpoint between Leland and me. Leland was inclined to go the way of the independent, and I was much more inclined to see the party, and my relations with the party, as being very important. It was very difficult to dance the tightrope, I will tell you that, because I did find myself voting with Lee on some matters.

For example, I remember the vote on the Cook County Hospital, when we set up an independent governing commission. A few of us voted against the Democratic party to try to divorce the running of the hospital from party politics, in which it had been mired for many years. I remember that we had a caucus where that wonderful party leader, Jack Touhy, roasted Leland Rayson, Bob Mann, and me on what we were doing on that bill. I wasn't always part of the party fabric. I did move between party positions and independent positions.

But I always felt that groups like the IVI became their own party. They tried to impose their dogma upon liberal legislators in the same way that the Democratic party imposed its dogma on the faithful of the party, and I always resisted that. It was a somewhat uneasy existence since I was never totally a part of either the independent kind of group or the Democratic party.

But I did make a very conscious effort to try to understand and work with the Democratic leadership. Sometimes I didn't end up voting with them. I don't think Lee ever tried to do that. That's the difference between Lee and me; even though we ended up on the same side on some issues, we didn't on others. I think Touhy always felt that he could come to me and talk to me about a matter, whereas I don't think he felt he could talk to Lee. I might not do what Touhy wanted me to do, but at least he could talk to me. And if it seemed to be a toss-up in my mind, I would be inclined to go with Touhy and probably Lee would be inclined to go against Touhy. The difference basically was there. I think that Lee was more critical and skeptical of the role the party played.

Q: I note a similarity over a period of time between your relationship to the IVI and Esther Saperstein's relationship to the IVI, in that she was involved with it, and then gradually worked away from it. As she discussed it, initially they were generally talking about issues, and became more and more political as they went along, and she didn't go along with their move in that direction. Do you see any parallel? Did you know her at that time?

A: Yes, I knew Esther well. I would doubt if Esther's view and mine and our experiences were the same. For one thing, she was a city legislator and I was a suburban one, and that was a critical difference. I didn't . . . enjoy the total confidence of the IVI. They always thought that I was a little too close to the Democratic leadership. I did receive Best Legislator Awards from them over the years. But I had an experience or two that came later that made me feel that I wanted to have a totally independent stance, independent both of the Democratic party and of the IVI.

Q: Would it be appropriate to discuss those events now?

A: Well, I had one episode, if we can get just a little further ahead. After I was elected on the orange ballot in 1964, the question inevitably arose: Who was going to end up as the legislator from the First Legislative District. That came to a head in the election of 1966. John Kennedy was not going to run. I had received a Best Legislator Award from the IVI, and so had Jim Moran. As the campaign that was going to pit Jim Moran against me for that spot was about to begin, I received a telephone call. The caller identified herself as the chairman of the IVI's slating committee that would be making endorsements for my district. She asked me to appear before their committee at a meeting in Evanston that coming Saturday. I told her that I was very sorry, but it was not possible for me to do so; their meeting was scheduled for the same weekend that the Commission on the Organization of the General Assembly had scheduled its final meeting. We were going to meet at the

state park in Zion, where we would be isolated from everyone, and come up with our recommendations. I explained to her that as the commission chairman, it just wasn't possible for me to appear before her slating committee that Saturday. And she said, "Well you don't really care, do you, if you miss it?" And I said, "On the contrary! I do. I'm most anxious that I be interviewed. I want your endorsement." She said well she would bear that in mind.

I was uneasy over the telephone conversation. So I called the chairman of the IVI, the downtown chairman, and I told him of this conversation. He was a friend. "I'm genuinely disturbed over that conversation," I said. "There's no possible way that I can be at that meeting because I have my legislative work to do. And I've explained that to her. But there was something about her tone that makes me think that they're not even going to give me the courtesy of interviewing me. And so I'm calling you to let you, as the chairman of the whole organization, know that I want to be interviewed. This endorsement is very important in my district." He told me not to worry and assured me I would be treated fairly.

I heard no more about it. I was absorbed in the commission activities. Some weeks thereafter I happened to be walking off of a Northwestern train on a Friday morning when I saw the chairman of the IVI, who lived in Winnetka. And so I walked up to him to remind him that I hadn't heard from them, and I wanted to be sure to know when the slating session was to be held for candidates in my area. Before I could open my mouth he said to me, "There's something I ought to tell you. You will see in tomorrow's Daily News that the IVI has made its endorsement in your district and Jim Moran has been endorsed." I was flabbergasted. "You really can't be serious, can you? They haven't interviewed me yet," I said. He said, "I'm very sorry. We decided that we would have to go ahead and make the endorsement, and the release has already gone out to the newspaper." I said to him, "You know, you're a civil libertarian." And he was. "I mean how in the world can you do that? You profess to believe in liberal principles, which I associate with civil liberties principles. How can you make an endorsement when you don't even give the other person an opportunity to be interviewed?" And he said, "I'm very sorry, but that's what's taken place."

So that particular episode was an indication of some failure to see eye-to-eye with the IVI. Subsequently, they felt very badly about it. And near the end of the campaign they added me to the list of candidates endorsed by the IVI. Of course, by that time my opponent had his literature out for a long time with their endorsement in it. Fortunately, it didn't get him elected.

After the session that followed, I again received an IVI Best Legislator Award. At the presentation luncheon, they invited each of us to come up and say a few words. And I thought that the members who were assembled ought to know what the organization had done. I briefly recounted the facts of what had taken place and said that I had been able to receive the award because I had not stood still when they treated me in this kind of way. Perhaps it harkened back to the time that Paul Robeson had grabbed the microphone in Nashville. This time I had the microphone. I cannot deny a particular irritation I feel from illiberal liberals. In this one instance, at least, I let it get the best of my usual demeanor as a guest.

Now, I am not saying that this was a typical story. I am simply telling you that it undoubtedly colored my views toward the IVI. I had many pleasant associations with them after that. They gave me many Best Legislator Awards. But the illiberal nature of that kind of approach I found to be discernible in some of their other activities. It made me less than a whole-hearted endorser of the organization, even though often I found myself in agreement with the stands it took.

Q: Did that type of thing in any way tend to shove you or force you toward party activity, Democratic party activity?



A: There's no question but that it did. I came increasingly to believe that political parties are very important institutions in our society, and we have to be careful about weakening them. Political parties are essential to the federal system, the way our government operates.

Q: I'd like to look at another side of that coin, the decision to go to the legislature. You indicated that there came a point when you realized that it might be well to be there making the laws, because they would bring about change more effectively. It reminds me of Bob McCarthy, who lost a case and the judge said, "Well, if you want to win this type of case, go change the law." And he went down to the legislature for that purpose. Was there any particular incident or type of thing that occurred like that, that caused you to think, "Well I ought to get down there where they make the laws."

A: No, but I did have one episode — after I got in the legislature — where a judge was being very unfair to me with regard to insisting that I go to trial on a case on a day when I simply had to be in the legislature. It was a period of our most intense legislative activity. He said, "Well, that's when the case is going to go to trial." And I said, "You know, I do have my public duties, Judge. I cannot ignore those." And he said, "I'm telling you well in advance that's when it's going to be. And we're going to trial whether you're here or not, Counsel." My clients wanted me there.

I was grumbling to my dear friend and seatmate, Bob Mann, about what this judge was doing to me, and how unfair it was to legislators to be treated this way. He and I decided that something ought to be done about it. And so Bob put in a bill that provided that legislators would have the right when the legislature was in session to secure continuances on matters in which they were engaged and had been engaged prior to the legislative session; this provision was to prevent retaining a legislator just to get a matter postponed. And we moved that bill along very rapidly. It was a very popular bill in the legislature. And it was enacted very quickly, and the governor signed it quickly, and I had the pleasure of being able to appear before that judge and present him a copy of the new bill that the governor had just signed into law.

Q: What was his reaction? (chuckles)

A: He was restrained in his comments. He knew that his hands were tied. The bill was well-drafted by the Reference Bureau so he had no leeway. Subsequently, we tried the case after the session ended. I would tell you that he thought he had the last laugh: he decided the case against me.

Q: Oh? (chuckles)

A: But I had the final laugh, because he was reversed on appeal and I ended up winning the case on the merits. I felt that legislators should not be at the beck and call of a judge. There are times when legislators have to be in Springfield, and the court system has to adjust to that reality. I did not feel that I was seeking a personal advantage. From the point of view of encouraging lawyers to go into the legislature, you have to put them in a situation where their clients are not disadvantaged by selecting a lawyer who was in the legislature. Judges can be arrogant on occasion, as we all can. Lawyers have to be able to stand up to judges on such occasions.

Q: So there really wasn't a time, prior to Mr. Schneider's approaching you on the railway depot platform, that you were saying, "Well I think that I should go to the legislature."

A: The experience that I had in the Veto Force did interest me in trying to make some long-run improvements in the legislative process, but I had no other experience that motivated me to say, "Well I'm going to Springfield and I'm going to correct that situation." But when I got to Springfield I did try to correct some situations.

Q: How did you go about getting elected? What steps did you take?

A: I had to put together a campaign committee. Of course, most essential is the selection of an excellent campaign manager. We had a very good friend, Estelle Wirpel, who lived in Winnetka, and whom we had known for many, many years. She seemed like a perfect person for that job, and indeed she was. And she remained my good right arm for all of the years I was in the legislature.

But we then got together the list of all the people whom I knew, and all of my relatives. Because we were running statewide it was quite essential that we engage in activities that went beyond the district. I traveled all over the state. There were a small group of us. I don't remember exactly how many but we would go around the state giving speeches on behalf of the whole Democratic slate, the 118 Democrats who were slated.

Adlai Stevenson III was a great drawing card. Once Stevenson called me and told me that they had scheduled him in two different places at the same time, and would I please go down to Galesburg and give a speech that he had agreed to give. I said, "Sure I'd be glad to." It was scheduled in the big hotel down there on the square. I went down there and I remember a huge banner, "Galesburg welcomes Adlai!" Big exclamation point! And I walked under that and I just felt terrible and as bad as I felt, I'm sure that was not one-tenth as bad as the sponsors of that meeting felt when I walked in and told them Adlai wasn't coming, and I was going to be speaking in his place.

In any event, I traveled the state giving some speeches, and I had a number of meetings with editors over the state. I undertook to try to meet as many newspaper editors as I could. I would go and talk to them about my candidacy and the candidacy of our slate. I would not deny that I was interested in my own candidacy, because at that time I had no way to know that all 118 of us were going to be elected.

We planned activities in my area. But the district activities were less compelling than the state activities because we had a statewide constituency. So we worked and had the usual kinds of mailings and telephone appeals. And we had coffees in the North Shore area — so many coffees! Late in the campaign a Democrat activist in Evanston, Sara Gotbaum, gave a joint coffee for Ab Mikva, Jim Moran and me. A half hour after the starting time of the coffee, no one but the three candidates and the hostess had appeared! The four of us visited together hoping a voter would show up. Soon thereafter a pained look appeared on the face of the hostess. "You'll have to excuse me," she said, as she walked out the door, "but something has come up and I'm due elsewhere." She departed, leaving only the three candidates at the coffee.

Q: Now what made you think that Estelle Wirpel would make a good manager? Had you known her for some length of time?

A: Yes, I had known her for . . . the full length of my marriage and longer. She had gone to the University of Chicago and had been a good friend of Ethel Mae's there. So I had met her. She and I had engaged in many political conversations over the years. She had excellent judgment, and that's the priceless quality of a campaign manager. She had a pleasant manner which is another important quality in a campaign manager, someone who can ask volunteers to work and get the volunteers to do it. She had also had an involvement over the years in the activities of some groups that I knew were important in my candidacy, like the League of Women Voters, and particularly the women who participated in that kind of activity in the North Shore area.

Q: Did you approach her or did she approach you?

A: Oh, I approached her, indeed, I approached her. I didn't have to importune her too much. She quickly agreed. And we got along fine. I discovered subsequently, particularly

in regard to my 1966 campaign when she remained my campaign manager, that her judgment was quite priceless, and maybe better than mine in certain situations. When I would be attacked by my opponent or by somebody on behalf of my opponent, she had a lot more objectivity about whether I should respond at all and what I should say if I responded. I relied on her judgment a great deal in situations where my judgment might be colored by the fact that I was on the defensive.

## SESSION 5, TAPE 10, SIDE 2

Q: Now where did you set up a headquarters where you discussed these things with Mrs. Wirpel?

A: I set aside space in my house where we could work. I believe that it was not until the 1966 campaign that I used outside headquarters for a campaign office. In the 1964 campaign, as I have indicated, the locus of the campaign was statewide. And so I thought that I would simply use my house. In addition I had very little money to use for campaign purposes. And I figured I wouldn't waste it on rent.

Q: Did you have any fund-raising activities?

A: I raised some funds for the campaign. We not only contributed to what we individually did as candidates, but also the state party asked us for a contribution to promote the whole slate. But this was before the modern era of large campaign spending.

Q: How did you go about getting that money? Letter campaigns?

A: Letters, yes. My dear friends — Bob Fiffer, Gene Rocklin, John White, Bernie Verin, Mike Shure, and others — wrote letters to their friends and mutual friends and to people on the lists, urging support of my candidacy as one that ought to appeal to them as believers in good government, et cetera. And we got a sufficient response to fund my activities. We had printing costs. We printed a variety of publications that I used in the campaign. The old, reliable family portrait on a postcard — with dog, of course. Jim Moran, Jack Kennedy, and I jointly printed a large brochure. There was no rivalry among us. We attended joint meetings, I did what I could to boost their candidacy, and they did what they could to boost my candidacy since there were 118 of us who might be elected if we did a good job.

Q: What about volunteers? You say that your campaign manager was able to get volunteers readily. How many did you have to have for the job?

A: Well, for that particular campaign I didn't really need to have an enormous number because I didn't have an intense campaign in the district. In 1966 I had the intense campaign in the district. We gave "addressing parties" where the women in the area would come and we would address campaign literature. I used the precinct captains in the New Trier organization and the Evanston organization, and also in the Skokie organization. In actual numbers I would guess that there were about 250 workers all told in my 1964 campaign, probably four hundred in the '66 contest. They were all volunteers. In fact, Mrs. Wirpel was a volunteer as well.

Q: Did she travel with you when you went throughout the state?

A: No, she did not. She just operated from her house and from my house. I traveled the state on my own; sometimes several of us would travel together to meetings in various parts of the state.

Q: Were there incumbents that you worked with downstate?



A: Yes. For example, I represented certain unions in the Quad City area. We would get a meeting set up in the Quad City area, and I would always invite the Democratic nominee or nominees from the Quad City areas to the meetings. Then we campaigned together for a vote for each of the 118 Democrats. It worked very well, as I've indicated, because all of the 118 won. Because I knew people in various parts of the state as a result of my activities as a lawyer, I probably did more traveling outside the district than many others.

Adlai was our star attraction. For the Republicans, it was Earl Eisenhower. Great names!

Q: I understand because of the peculiar situation that there was a general move to have the party ticket voted, as opposed to individuals on the ticket.

A: Oh, yes. The bedsheet ballot was huge and overwhelming. It was hard for anyone to find his way on that ballot. Notwithstanding, newspapers did make endorsements on the basis of individuals. For example, the Freeport Journal-Standard had a front page editorial that said, "You can cast 118 votes whichever way you want to, but we want to give you a list of a certain number, less than fifty-nine, who you ought to vote for regardless of which party you want to give your votes to for the 118 seats." You see, everybody had 177 votes. And I was very anxious to be on that kind of list. I got some endorsements from newspapers in different parts of the state as a result of my meetings with local editors.

Q: Did you get on the Freeport paper front page?

A: Indeed I did. And other places in newspapers that I didn't even know existed in Illinois, before the campaign. I was quite astounded to read a favorable article in a paper in Winchester, Illinois. And I got good press, as we say in the trade, and got good treatment by all of the Chicago newspapers. The Wall Street Journal had an article that was kind enough to include me. In addition, the Democratic strategy was sound. They tried to select a slate that would appeal to different groups and that had a certain statewide interest. And we all plugged the slate. I never urged that people not vote for the whole slate. When I met with editors I didn't say, "You should endorse me," and forget the others. It was inevitable, however, if editors believed you would be a good candidate, they would make special mention of you in editorials. And because there were so many people running, people who were totally foreign to the local community, there was just no way that the citizen could intelligently, without help, select among the 236 people who were nominated. They had to have some kind of way of dealing with the problem, either by voting the party slate, or by following newspaper endorsements.

Q: During the campaign did you have any run-ins with the Republican side of the house?

A: I didn't. But the reason was, of course, that this method of operation didn't pit us against individual Republicans. The Republicans from my area were, in fact, elected in spite of the fact that the entire Democratic slate got elected. Frances Dawson and Alan Johnston were never in jeopardy. George Thiem, a journalist from Evanston, also won. We had six legislators from an area that could normally support only three.

Q: And you had no meetings, like League of Women Voters, where you were called to debate?

A: Yes, there were League of Women Voter meetings. But the people at the league undoubtedly would end up voting for everybody they heard. In other words, if they heard a half a dozen candidates from their area, they would vote for all of them because they had 177 people to vote for. So there really was no personal contest going on between a particular Democratic candidate and a particular Republican candidate. We were not running for the same spot.

Q: How did you spend election day?

A: I remember going from polling place to polling place. On election night, the problems associated with counting ballots were herculean. We had no facilities in our precinct for counting ballots with 236 candidates vying for 177 positions. They decided that they would have a central counting facility. All of our ballots were taken to a high school in the area. They set up long tables, at which the judges and election officials would try to count these ballots. Well, there was then no mechanical equipment with which to do it. It had to be done by pencil and paper. And the counting went on and on, and on and on. This counting process was going on in central facilities in various parts of the state. Eventually the figures were put together, and finally we learned the results, but I think it was days later.

Q: What was your feeling when you found that you had been elected?

A: I was pleased. There is something, I guess, reassuring. You run, and you get more than two million votes. I was happy to be elected, and I looked on it as an opportunity for a new and challenging experience. I'm not sure my law partners were so enthusiastic. But I regarded it as a good experience and looked forward to it.

Q: And your wife, I guess, was right along with you?

A: Yes, she was. She was very much with me. She was actually a better politician than I was in a number of ways. She was good at knowing names. That's a very difficult thing for politicians, particularly those of us who don't have wonderful photographic, Farley-like memories, where you can remember the name of a fellow you met four years ago in such and such a place. So it's very helpful to have an Ethel Mae. Two heads are better than one, and two memories are better than one. When we go into a public place, two of us have the opportunity to remember who that fellow is across the room who's walking over toward you. Some constituents are very good about that while others try to embarrass you.

Q: Did you develop a signal system with your wife so that she knew when you were wondering who in the dickens this was?

A: First, if either of us knew the name of a person who came up to us, we would immediately use that name. One of us would say, "Hello, Joe. It's nice to see you." Sometimes you have to scrounge. Some people come up to you and ask you, "What's my name?" Not many are quite that boorish, but some people are. I guess that it's very stimulating to them to have their name known by a political person. And it is indeed a great political asset to remember names. I don't want to underestimate that. We politicians do have a lot of desire for name recognition ourselves but we are not alone in craving that.

I remember an experience in Woodstock, Illinois, some years later. I was up there as a lawyer. I was sitting in a very nice restaurant with some potential clients, some union people whom I was entertaining there. And this woman walked over with her husband; I saw them out of the corner of my eye. She is subtly pointing to me. And I'm starting to feel just a little uncomfortable. My potential clients and I were wondering who they were. I rose. I didn't know quite what to do. The lady said to her husband, "Dear, this is such a wonderful coincidence; I've always wanted you to meet this man. In my years of activity with the League, I have admired him so. He is the most wonderful legislator anywhere, and I want to introduce you to him." And she said, "Dear, I want you to meet Representative Robert Mann." I'm afraid that my clients who were sitting there were . . . not very impressed with that event.

Q: I hope they didn't hire Robert Mann. (chuckles) Well, one more question concerning the election. Your children were rather young at that date. But how did they take the election or the fact that you had been elected to the legislature?

A: They were very happy over my election to the legislature. Everybody was. The family celebrated, and everybody enjoyed it. Later, if you asked them, "Would you rather have

your daddy in politics or at home?" I suspect there would be differences of opinion among them. I think it is hard on children to have their father in public life. The little story I told about Joel is a very accurate portrayal of the way the child of a politician feels on many occasions. All of the attention is centered on the father, or the mother, depending on who it is. There is a certain excitement that goes with it, too. But on balance I would bet that most kids would rather not have their parents in public life.

# SESSION 6, TAPE 11, SIDE 1

Q: When Jim Holloway was elected he found the intensity of the campaign right up through the election, and then all of a sudden the next morning it was all over and he said, "My goodness, what do I do now?" What was your reaction after you realized that you were elected and that you were going to be a representative?

A: I was very excited over it. I wasn't sure that I would be able to perform adequately, but I was determined to do my best, so I looked forward to the period of service in the legislature.

Q: What did you do to prepare yourself before the time that you went down to Springfield?

A: I read through material that I'd obtained from the Legislative Council on the operation of the legislature. I participated in meetings with some of my friends and new colleagues, discussing what the situation would be in the legislature. I thanked a lot of people who had been helpful to me. In general, I had a high level of excitement over the ensuing prospect of being a member of the Illinois house.

Q: And you said you were aware of the Legislative Council at that time. How had you become aware of the Legislative Council?

A: I had had a lot of exposure to Springfield. A number of the members of the legislature were friends of mine. I had testified in Springfield. So I was reasonably conversant with the operation of the legislature. I had to become knowledgeable in any event, because I was campaigning over the state. When I was meeting with editors in different cities, I had to know about the operations of the legislature. Undoubtedly, they knew more than I did, I had to have some knowledge if I was going to be credible to them.

Q: How much interchange did you have with the Democratic party, Mayor Daley and Touhy, and that group, at that time?

A: I had only casual relationships with the people who put together the campaign. I had no relationship with the mayor. I had dealt mainly with the staff, and to a more limited extent with Jack Touhy and Clyde Choate.

Q: Did Clyde Choate get involved with helping you downstate during the campaign?

A: No. Meetings that were set up were set up directly by me, for the most part. I got lists of editors from places like Ayer's directory of newspapers. And then I inquired about particular editors who were more prominent in the editorial scene downstate.

Q: After you had been elected, and before you went down to Springfield, you met with other individuals who had been elected. What types of meetings were these?

A: They were friendly get-togethers where we exchanged our hopes and expectations about the coming session. I knew a small group of the legislators. Before I ever went into the General Assembly, they were friends, and it was only natural that we would meet and exchange ideas. We did not have any notion that we were going to spring any surprises



in terms of electing leadership. Obviously, the Democrats had 118 legislators, and, as we say, "me and my friends" were a small part of that group. But we dreamed about trying to improve the situation and having an excellent session.

Q: Who were some of these people that you met with at that time?

A: Ab Mikva and Tony Scariano, who were old friends of mine. I got to know Bob Mann, Eugenia Chapman, Dan Pierce, Lee Rayson, and Bernie Peskin, Jim Moran, and John Kennedy. It was a group of legislators who tended to be politically liberal, the non-organization types.

Q: That was what I was trying to get at. You generally associated at that time then with the non-organization types. So you were at that point indicating your independence?

A: Well, I wasn't trying to indicate any independence. I generally have been of that persuasion myself. I had known some of them for many years. We shared certain common ideals, approaches and dreams. It was natural that we would be associating together. I had known Ab Mikva since the University of Chicago days. I had known Tony Scariano for a number of years. We simply carried on our friendship. I had also known Cecil Partee in a professional way. I knew some of the other Democrats whom I had gotten to know as lawyers. But that was a little different.

Q: Now, some of these friends and associates had been down at the legislature for a number of sessions. Did you gain any insight from them as to how to go about doing things in the legislature?

A: Oh, yes. There's no question but that learning from your colleagues who are more experienced is the best way to learn. Indeed, as we would engage in idle conversation I would be picking up information.

Q: The caucus was held the day before the session opened. What do you recall about the initial caucus?

A: It was an exciting event for me. It was held at the St. Nick, with Jim Ronan presiding. It was held with a dinner the night before the opening session at which we selected our leadership. I don't think there was any question but that Jack Touhy was going to be our Speaker. There was a whole leadership team that had to be assembled and Touhy did that. He was in complete control of the delegation. I was very happy to endorse his selection and the selection of those that he supported.

Q: Was there any initial proposal on the part of this group that you had been talking with as to participation in leadership?

A: I don't believe so. Our interest was in trying to get a few choice assignments. We were interested, for example, in Ab Mikva becoming chairman of the Judiciary Committee, and hopeful that Tony Scariano might be the chairman of the Education Committee. In general our aspirations were more along the policy line. We were not so interested in getting a leadership spot that brought extra pay to the legislator. We wanted positions of power where we might shape the course of legislation. And that was true in the years that followed.

Q: Do you recall at that time approaching John Touhy or any of the leadership there with proposals?

A: I was not a part of that process. I talked to Touhy, but very respectfully. I was not spokesman for our group. With people like Scariano and Mikva, it was inevitable that they would be the ones in our group who would talk to Touhy, and who Touhy would talk

to. They had served together for a number of years. So it was quite inevitable, and I was quite resigned to being a back bencher.

Q: In talking to John Touhy, did he make you feel that he doubted your support of the Democratic party because of your association with the independents?

A: No, not at all. I think that we were all involved in a lovefest at that time. Touhy was not threatened in the slightest. He had overwhelming control, both of the Democratic delegation and, as Speaker, of the floor. So there was no reason to be suspicious. He had nothing to fear. And he was a very warm individual, a very likable individual although he had a hot temper.

Q: I understand.

A: But he had a warm heart that went along with it and he would scream at you one minute and the next minute would be very friendly. I remember one little episode with Touhy. Once flying back to Chicago on the primitive Chicago and Southern Airline, it happened that Touhy and I sat next to each other on the plane. I wasn't terribly comfortable on airplanes at that time, and this was a real little puddle jumper of a plane. We were flying in the afternoon. When we left Springfield it was daylight. All of a sudden, as we were flying, we were enveloped in a dark cloud. It became night at that moment. The turbulence tossed the plane about, and I was frightened. Jack Touhy reached over — he could see that I was agitated — and he put his hand on my hand, and he said, "Don't worry, everything will be all right." Mother Touhy was there, so kindly, so concerned that I was going to be upset, so warm. This manner was such a contrast to the public display that he would engage in when he would be screaming at the Republicans on the house floor. But he was a very warm and caring individual.

Q: You've indicated a group of independents, and then, of course, there was the regular Democratic organization group. Did Paul Powell enter into the picture, being secretary of state at that time and still around?

A: Yes. He was very much around, and he was an important part of the party. Whether he was a mover and a shaker in the inner sanctums I would not know, because I wasn't in the inner sanctums. But Touhy had total control. There was no question about it. We did not engage in any warfare with Mr. Powell. He had been down there for many years and while he wasn't our cup of tea, there was an attractive quality to him, a sort of homespun country-boy quality. He told wonderful stories; only Mike Howlett was his equal as a raconteur. But the power was really in Touhy's hand. When you have the overwhelming numerical majority that he had, he didn't have to look to Powell or to Choate or to anyone else. He had control. Whatever the Mayor wanted, Touhy could deliver.

Q: Now he teamed up, of course, with Senator McGloon, McGloon as the leader in the senate. How much did you feel the presence of Senator McGloon?

A: Well, I was a great admirer of Senator McGloon's. In fact, among the fondest memories I have of the legislature were those occasions when I would wander into the senate and hear McGloon and Arrington debate. They were men of extraordinary ability. McGloon had a pixie-ish quality. He knew how to get to Arrington in debate. While we've had great debaters in Illinois, and the Lincoln-Douglas debates come to mind, the most delightful, the ablest, debates that I heard in the General Assembly were those between Arrington and McGloon.

Q: Can you think of an example?

A: They would debate everything. The extraordinary thing about it was that here was Arrington with total control in the senate. At that time there were thirty-three Republicans, and McGloon had only twenty-five Democrats. It would be hard in the house

to get that kind of excitement because of Touhy's overwhelming control. But McGloon had a way of getting to Arrington on sensitive issues, of getting some Republican votes that he could parade and use well, and of exploiting frictions on the Republican side, so that it appeared to be almost an even contest. From an oratorical point of view, McGloon always held his own, and, I thought, usually did a little better than hold his own.

Q: Redistricting was one of the big things that was talked out all through that session. Do you recall any of their debates concerning redistricting?

A: I don't recall the specifics. I know that I just used to wander over to the senate whenever I could, and listen to them debate. And when somebody would tell me that they were at it in the senate, I would go over and watch them. It was just a great show, better than the movies that gave us free tickets in Springfield. By the way, that's an old tradition. Perhaps it was engendered by the feeling that it might be a public contribution to keep legislators out of bars, and in movie theaters. So all of the time that I was in the house we always had free passes to the movies in Springfield. But that was nothing compared to watching a McGloon and Arrington debate. The specifics were not notable. It was the manner and style, the range of the discourse, the wonderful oratory that these encounters developed.

Q: Now within the downstaters, were there those that you became associated with quite early in your career?

A: I got to know many of the legislators, including the downstaters. There was a legislator from Decatur, Marvin Lieberman, a most able legislator. It's very unfortunate that he left the legislature and went into a position as chairman of the Illinois Commerce Commission, appointed by Walker.

Scott Lucas's nephew, Allen, from Springfield was there. Joe Callahan, Gene's father, was there. Gene became very influential with Alan Dixon. Of course, we had a lot of legislators from Chicago that I enjoyed serving with and continued to serve with for years. Harold Washington emerged in that class. So did Adlai Stevenson. I got to know Bill Redmond very well, also Paul Rink from the Rock Island area who became a judge. Zeke Giorgi from Rockford I knew well.

I served with Elmo McLain from Quincy, a really sterling fellow. He invited me once to his home when I was near Quincy and I had a chance to meet his family, his children. How could I know then that young Mike would end up as my colleague?

There really were some outstanding people. Toby Barry and Dick Stengel, who are both now on the appellate court. I established friendships with Paul Simon and Alan Dixon in the senate and found each to have extraordinary abilities as legislators.

There's one thing about being in the legislature. You meet a lot of people whom you encounter again as you go through life. As a lawyer, I meet so many judges that I knew in the legislature, or in connection with party activities while I was in the legislature. It introduces you to a whole group of people that you otherwise wouldn't know. The legislature is a great entry ground for all kinds of political and judicial positions. Incidentally, the associations cover the full spectrum in the other direction, as well. Until I entered public life, I hardly knew a person in a penitentiary. As a result of my eighteen years of public life, I got to know many, many men who ended up behind bars.

Q: Now, in working during that first session, did you continue to associate closely with Mikva and Scariano and that bunch?

A: I associated with the Mikva-Scariano group. We traveled together, and I learned a lot from them, and found them to be superb human beings. They were our natural leaders.



Q: When you say traveled, do you mean on the train, back and forth, from Springfield?

A: We did travel back and forth from time to time. I was, however, referring to the life in Springfield — whom we had dinner with and spent those precious after-session hours.

Q: Could you describe the conditions of the legislature when you got there, the working conditions? For example, your desk was your office, as I understand, in 1965.

A: Oh, yes. We had no office of any kind, and the bill books would gradually increase in thickness as the session went on. I once suggested that the reason Abraham Lincoln had done so well in the legislature was that he was so tall that he could see over his stack of bills longer than almost anybody else. (chuckles)

In any event, we had no place at all to see constituents when they came down. We would talk to the constituents in the rotunda outside the chambers or arrange to meet them in a hotel bar. That's probably one of the reasons why legislators were associated with bars, really that was one of the few places where you could meet someone. It was usually not convenient or appropriate to invite constituents to your hotel room.

SESSION 6, TAPE 11, SIDE 2

Q: Will you comment on the Legislative Council and the Reference Bureau.

A: Back in the old days before the legislature got to be the somewhat sprawling empire that it's become, the legislative operation was quite compact. The Council and the Reference Bureau used to be just adjacent to the floor. You didn't have to go into another building. So you would always be ducking off of the floor and into those offices. Going into the Council or the Reference Bureau would take you off the floor only for a few minutes. I used their services a great deal. I found them to be very useful. Bill Day was right there, and I could run in and see him, or someone he would designate. Pete Bobbitt was a great help in the Reference Bureau. They worked very hard.

I probably overdid my use of the Council. I remember an article that appeared in the Chicago Daily News at the end of my first session. It quoted someone from the Council as saying that 10 percent of their requests for information in the session came from me. That was obviously overstated, but I turned to them every time I wanted information, and they were very valuable in terms of giving me information. Some things I used, some I didn't use. But it added a lot to my education. Years later I slowed down a good deal, but I was somewhat of a whirling dervish during my early days. I was so enthusiastic about the process of legislating.

The facilities and support services were primitive. We did have access to a pool of stenographers and we could try to dictate to them.

Q: You say try?

A: I mean that there weren't many secretaries, and you didn't have a regular secretary. You had a pool. You would have to find time, and a place to dictate. You didn't have an office. Being a secretary in a pool is a harder job than being an individual's secretary.

Q: I can imagine.

A: So I salute their contributions to the state in those early days.

Q: Did you tend to use one more than others?

A: Yes, you would tend to use one more than others. And gradually you would develop relationships.

Q: Do you remember any?

A: Well, there was a secretary named Alice, and I have forgotten her last name at this moment. She died within the last year. Helen Venable was an early and able secretary who served me, and later, after the changes occurred, she became my secretary.

Legislators had no place to make telephone calls from, not a very good place anyway. There were a few booths outside the chamber, where you could stand up and make a call, if you could get a booth.

Q: Now, I presume that with the secretarial pool, a great deal of that was in helping manage your mail. Did you set up a system for managing mail?

A: Mine is a very literate constituency. This has good and bad aspects. I always got lots of mail. I answered all my mail, and tried to avoid answering with form letters. It was hard. So much of the mail, even from my kind of area, is generated by a particular lobbying group. It may be the schools, or right-to-life or pro-choice groups, or one side or the other in the gun control controversy.

One of my colleagues down there decided that he would have fun. Sometimes he made telephone calls to people who had written these letters and he discovered that the vast majority of them didn't know anything about the letter they had supposedly written. In other words, it was a letter that somebody had put in front of them, and they signed it. The person wouldn't know what they were writing about, would have no knowledge of the issue.

On the other hand, I always felt that people who took the time to write deserved an answer, particularly if they were in your own district. So I tried to do it, even though we were not well set up to handle mass mailings. I remember the first session when we were inundated with gun control mail. Adlai Stevenson introduced some gun control bills. He and I were on the Judiciary Committee; Abner Mikva appointed us to a subcommittee to consider gun control bills. And, of course, the National Rifle Association and their compatriots flooded us with mail. In that kind of situation you can't handle the mail if you're not set up. And we weren't set up.

Q: Did you attempt to handle with form letters?

A: I tried to, I tried to. Finally I had to satisfy myself with answering letters from the people in my district. To make matters worse, we were allowed the grand total of fifty dollars as the mail allowance for the two years. After you used up your fifty dollars in postage, you were paying it out of your salary.

Q: And that got to be quite an expense?

A: Yes.

Q: How much mail did you bring home to your office in Chicago?

A: I always brought home some letters, and tried to answer them from my office in Chicago. We are citizen legislators. We carry on our practices as well as carrying on our legislative activities. And we do try to get back to our offices. I would frequently pack material and bring it with me, even though it would be far more efficient to operate in Springfield where the mail comes. That's where the Reference Bureau and the Council are. They can sometimes be helpful in giving you information to answer letters. Generally, I tried to answer my mail in Springfield.

Q: What kind of system did you set up during that first session for keeping track of bills?

A: The best source of information as to what was going on was always my frequent contacts with my colleagues. We would have breakfast together, have dinner together, drive to and from Springfield together, and I would pick up a lot of information from them about what was going on. Years later we formed a Democratic study group and we tried on a more organized and systematic basis to pool our knowledge and experience about what was going on in the legislature. We would invite speakers to come and talk about subjects being considered by the house. But at that time it was a catch-as-catch-can situation. I had files that related to particular topics. But to a considerable extent you used your head to store information, nature's computer.

It was not possible to maintain a filing system concerning every bill that came in. Back when I was in the governor's office in the Veto Force, we used to have a file on every bill passed by the legislature. And if we wanted to know about a particular bill, we would just pull out the file, and it would have the information and all of the correspondence regarding it. We didn't have anything like that in the legislature in the early years.

Q: Now when you say files, where did you keep those? Did you have room in your desk for a filing system?

A: We had a drawer, and that was it. We also had a locker. There was a locker room back of the legislature, and we would put whatever we could in our locker room. It would hold a little something in addition to coats and hats. But it was very difficult. I stayed at the State House Inn and could leave clothes, but it had no facilities for files.

Q: Why did you select the State House Inn?

A: The State House Inn is so conveniently located to the Capitol. You can run over at night to take care of things.

Jim Moran and I shared a suite at the State House Inn. Jim was a wonderful source of information, very bright and helpful and living with another legislator like that was useful when we were both as naive as we were.

Tony Scariano and I would take walks late at night in Springfield. Those were the days when you had no question about security. Subsequently, a legislator or two got involved with attacks of some sort, walking much earlier in the evening than we did. But Tony and I had no fear of that. We both loved to walk and talk about legislative activities.

Q: Do you think you missed anything by not staying in the St. Nicholas, the center of the Democrats down there?

A: No, I don't think that I did, although at that time it was a very active hotel, and I'm sure that I missed the company at the bar. But I was never a great one for being at a bar anyway. A bar is a good place for talking to your colleagues and talking to lobbyists, who are an excellent source of information, but I didn't spend very much time in that kind of activity.

Q: The layman often hears the term barroom legislation. Would you say that much legislation was passed in barrooms?

A: Oh, a lot of activity goes on in barrooms, as I've indicated. Lobbyists are very important in the legislative process. I've always had respect for lobbyists, but a certain wariness, too. I believe it was Chesterton who said that a proficiency in billiards is the mark of a gentleman, but too much proficiency is the mark of a misspent youth. I was always afraid of too much reliance on lobbyists, particularly in a situation where you're so dependent on



them. We had very little in the way of other sources of information. On the other hand, I would have to tell you that some lobbyists were very helpful to me and I would not have been able to achieve some of my objectives without the help of lobbyists.

Q: Can you think of any particular ones, or an example of one who helped?

A: Joe Meek, a real gentleman, who represented the retail merchants for years, had lots of knowledge about every facet of the legislative process. I always found him to be absolutely reliable. He never gave me a bum steer in all of the years that I knew him. I had similarly pleasant experiences with Bill Watson and Bill Perkins. Dick Lockhart, who arrived a few years later, was another person whom I found to be highly knowledgeable, and very willing to supply information.

Even groups that I came in conflict with would try to be helpful. Once I sponsored legislation involving continuing education for physicians. I found the medical society to be extremely helpful in regard to gathering information. Now, that was a situation where they supported my bill, but on another occasion I had a bill involving the living will, the right-to-die legislation. They were opposed to my position on the bill, but I needed some information that I thought I could best obtain from medical societies in other states. And I asked them if, in spite of the fact that they opposed my bill, would they undertake this survey for me, and give me the raw data that they got back from the survey. They said they would, and they did. They circularized the medical societies in the various states regarding this particular issue, and they turned over to me the responses. So lobbying groups can be very helpful.

Q: I understand occasionally they stumble, however. Did you have any occasion to be caught by a lobbyist on any matter before you really became knowledgeable of who was who?

A: Well, I found myself in the currency exchange brouhaha that subsequently developed when the celebrated tapes of their uncensored hotel room conversations were disclosed. The currency exchange lobbyists had some most unflattering and unkind references to me in those tapes, which I appreciated. There were a few occasions where I was given what we lawyers might call the truth, but not the whole truth. I developed a considerable wariness toward lobbyists. There were instances of outright misrepresentation, but, on the whole, lobbyists were a positive influence.

However, I have been concerned about the combination of the lobbyists and the heavy financing that now goes on. That's a very dangerous combination. Back in the early days the lobbyists were not really involved in spending large sums of money in the form of campaign contributions. Now, of course, they are, and I think that is a subject of concern.

Q: Well, as with the currency exchanges, they were spending quite a bit of money under the table. Do you think it's gone from under the table to campaign funds and that sort of thing?

A: Yes, and the dividing line has become very hard to discern. Philosophically, it is a matter of great concern that legislators at every level have become so dependent on financing that many of our craft do sell their souls for campaign contributions. It is a major problem, engendered by television and the high cost of campaigning. Whatever the reason, it is perhaps the case as you suggest — the under-the-table payments are being replaced by over-the-table contributions, with almost the same effect.

Q: What about pressure groups? Did you feel any pressure from labor, for example? I understand they were quite emphatic about what they thought ought to be passed in a session.

A: I didn't get too much lobbying from the labor groups because I think they knew that I shared their sympathies in many regards. And so they didn't beat a path to my door. But

they were there, and they were helpful. Labor groups, business groups, white hat groups, black hat groups, we had them all in Springfield. And the more you listened the more you learned. It was an education.

Q: In regard to the use of the Legislative Reference Bureau, I saw two or three accounts summarizing individuals who were effective during that 1965 session, of which you were listed as one. And in each of these accounts, they made the comment that it was surprising the number of bills that you had put in. How much help did you get from the Legislative Reference Bureau in developing these bills?

A: I got a good deal of help from the Reference Bureau. I always turned to them to draft my bills.

## SESSION 6, TAPE 12, SIDE 1

A: I would get an idea for a bill and would talk to the person who was in charge of the Reference Bureau, usually Pete Bobbitt. I would tell him what I had in mind, and he would assign someone to work on the bill. That person would then get back in touch with me, and out of it would come a bill or a series of bills that I would introduce. I found them extremely helpful. In fact I don't know how the legislature could have functioned without the Council and the Reference Bureau. I guess there was a day when it did, but it couldn't have functioned in the way that we did. And it would certainly have required that all of the things that the Reference Bureau does, like drafting a bill, would have to be done, I assume, by lobbying groups. Individual legislators, by and large, don't have either the time or the skill to engage in the actual drafting of bills. It's a job that requires expertise.

Q: Did you do any drafting yourself of any of the bills?

A: Not really. I did redrafting; that's different. Redrafting does have some aspects of drafting. In other words, I would go over their draft, and make changes, and strike out a section or paragraph or make a change here or ask the effect of this paragraph or this word or of a particular change that might occur to me. The people who worked in the Reference Bureau were always very helpful, and they would try to respond. And years later we did get some committee staff who would help in this, but in the early days it was all the Reference Bureau and the Council.

Q: When you had decided that a bill should be put in and generated the idea, how much in addition to the work with the Reference Bureau — for example in the redrafting — did you do in connection with other individuals? Did you sit down with other people and say, "What do you think?"

A: No. By and large, the bills that I put in were put in by me as an individual. I wasn't much of a group person. During the first session I put in a lot of bills relating to auto safety. I gave the Reference Bureau the ideas involved in the bills, and they drafted the bills, and then I went over the bills. Generally, I relied on my own judgment as to whether to put in a bill. Occasionally I would get a second opinion from a colleague. In deciding whether to put in a bill, I would often test out the idea with people technically competent in the field.

Q: Now, you say these bills didn't come from special interest or lobbyist groups. What was the genesis of your bills? Did you just sit back and say, "Now, for goodness sakes, what ought to be done?" and they came?

A: Part of it is from your experience. I became interested in the subject of auto safety before I went in the legislature. When I was elected to the legislature, I decided to try to use my experience on that subject to try to achieve desirable public ends.

I got involved in the subject of architectural barriers, legislation relating to the physically handicapped. I can't tell you exactly how I became interested. I think that it may have been because years ago I had a most extraordinary client, a young boy who had had his spinal cord severed, and I handled his case. He was an unusual child who was most appealing, and I got to know the problems of the physically handicapped by what happened to him. So I decided to try to do something about that.

From my reading I became interested in the problem of the abuse of power by private groups, monopolistic kinds of activities. That probably was a combination of the fact that I had my university training in the field of economics, and through my reading.

And so I offered a lot of legislation relating to the field of licensing, sunset legislation ultimately. Now that didn't come from any group, although other groups pursued similar objectives. For example, Common Cause was a great supporter of my sunset bill. I drafted the bill, I got all the information and input they had to offer. I made the legislative decisions that had to be made. But their contributions to the process were invaluable.

The right-to-die bill came about because of my interest in the subject. I contacted the organization in New York that, in fact, does lobbying in this field. They sent me all of the material, but, once again, it was my bill, it wasn't their bill. I rarely put in bills for others.

Now, I don't mean that I didn't put in a bill for a commission that I might be on. There was, also, one particularly imaginative constituent of mine who, over the years, came up with several ideas for bills. They were not major bills; they were little bills. I found his bills of value, and I put them in. I thought that they were good bills. He nudged me in terms of the problem of organ transplants. He happened to have been active himself in the kidney society, and he brought to my attention some problems with regard to organ transplant. And so I decided independently to put in a bill relating to the use of a driver's license to indicate the driver's wish to donate organs to those who need them after his or her death. After I put in the bill, the kidney groups and the eye groups and the secretary of state supported the bill. We worked together, but I always insisted on being in control of bills I sponsored.

This was the way I operated. It's possible that groups may go to different people in the legislature, different kinds of legislators, while I did things on my own. There are other legislators who are unusually gifted in carrying bills for organizations. And I'm not in any way depreciating organizations coming in with bills. They may come in with very good ones. I'm simply indicating that in the legislature you have to develop your own style. It comes from your personality, your previous experience, from many different things.

Q: Then you wouldn't necessarily be classed as a John Lewis type, for example, who did specifically what he conceived that his district wanted him to do, and not much more?

A: No. In fact, I would sometimes do things that my district didn't want. I remember, the very first term I was in the legislature, giving speeches all over my district about the fact that we ought to do something about the educational problems in the city of Chicago. Now, that was a very unpopular subject in my district. I simply felt, and I told them, that Chicago needed help, that the children in Chicago had to get good educations if we were to do well as a society. And I also pointed out to them that even from the point of view of their own security, that those expressways that they had built not only went into the city, they came out of the city. And if we didn't do something about solving Chicago problems, their crime problems were going to come right into our community. That wasn't what my constituents wanted to hear. And very frequently, in the course of my life as a



legislator, I increasingly, I think, did not . . . take positions that necessarily endeared me to all.

Q: This didn't appear to hurt you. If you had been in a southern Illinois district, do you think you might have not been able to stay in the legislature with that style that you had?

A: Probably not. I had a kind of constituency that not only tolerated, but, to some extent, encouraged independent expressions of thought. Much of my constituency was college educated, and they were willing to tolerate differences of opinion. But I would not want to tell you that my district isn't human, and that you don't have to appeal to them in the same way that you appeal in other districts of the state. I did have to provide constituents with service, which I was never very fond of doing. Estelle Wirpel, who became my legislative aide later, was a whiz at it. I attended meetings. I did have to do some campaigning. But it is absolutely true that if I'd been a legislator in the kind of district you're talking about, I probably never would have survived.

You know, that is one of the things that always troubled me about the legislature. They have what's called the politician's credo. The first rule is that you've got to get elected, and the second rule is that you should never forget the first rule. Everything is geared to getting reelected. Everybody is afraid to take independent stances that may cost them votes. Every issue is weighed in terms of, "What is that going to do to me in terms of my prospect of getting reelected?" And I think that that's only gotten worse over the years. Art Telcser once told me he thought that the worst force against good legislation was the natural desire of legislators to be reelected. He had a profound thought there. It is very difficult to take independent stances, and do what you truly believe is right, when you face consequences that may result in your not being in the legislature again.

Q: Was there only a rim around Chicago in which a person could be independent at that time?

A: In my area there is more independence than in most. But this is not to suggest that downstate legislators cannot be and are not independent on some issues. For example, many downstate legislators have supported public transportation in the Chicago area. Now, that's not a popular issue, I'm sure, outside of the metropolitan area, and yet they have done it. They have to be careful how often they assert their independence and they do have to be wary. But, in many instances, legislators like Paul Simon and many others downstate have been willing to bite the bullet and do what they felt the state needed.

Q: Did you have any form of kitchen cabinet, your wife or Mrs. Wirpel, who advised you, or suggested legislation?

A: I communicated with a number of people in the district, but I didn't have a kitchen cabinet. I pretty much operated out of my own head. Most of my ideas for legislation just came from someplace; often I wouldn't know where. There would be regular meetings with the school districts in my area. I would hear their views on legislation. But I did not have a small coterie of individuals whom I would meet with on a recurring basis for advice on how to vote.

I got advice from my group of legislators in Springfield. They were talented. We had a common problem. And we would consult together, and we would frequently vote together. The truth is, of course, that the vast majority of bills that we consider are not really party issues. You have to go your own way in your own style, and do what seems to you to be right.

The Democratic Study Group, or "DSG," as it came to be known, provided an esprit de corps among independent Democrats and an invaluable source of information and exchange of ideas about legislation during much of the time that I was in the house. We can thank

young Adlai for its creation, I think. He served only one term in the house, from 1965 through 1966, then was elected the state treasurer in November of 1966. Adlai had close ties to Hubert Humphrey who had run for president in 1968 and lost. During the course of that campaign Humphrey in some way incurred the displeasure of Mayor Daley. The year following Hubert's unsuccessful run Adlai arranged for Bill Redmond and Bob Mann to invite house Democrats to a private evening meeting with Humphrey during the course of which he would tell them about the House Democratic Study Group, a Congressional institution in Washington, obviously as a model for the formation of a similar group in Springfield.

I doubt if Hubert knew what he was stepping into. Touhy was furious at this invitation to form what he considered a caucus within a caucus. For Adlai it was an opportunity visibly to chart an independent course for himself within the Democratic Party. Notwithstanding the fact that the Party's recent standard-bearer for the presidency was the guest of honor, the Chicago regulars and much of the downstate Democratic delegation boycotted the meeting, which made it into a media event.

Out of the donnybrook emerged the Democratic Study Group, with Bob Mann, an implacable foe from Hyde Park of what they called "The Machine," as chairman. Later I succeeded him in that position. Joe Lundy, an enormously talented independent legislator from Evanston, followed me. Ultimately the DSG disintegrated as independent strength faded, following the elimination of multi-member districts and the emergence of Mike Madigan's leadership that brought the independents into the main tent.

#### SESSION 7, TAPE 13, SIDE 1

Q: We've been discussing your relations with your constituency. One item left hanging was in regard to services which you performed for your constituency.

A: In spite of the affluence of my community, there were problems involving public aid, both from the point of view of the applicant, or the vendor who has rendered professional services and has not been paid. My administrative assistant, Estelle Wirpel, was quite expert in dealing with those agencies. We had problems of unemployment compensation eligibility on occasion.

And some times there would be problems involving the Department of Revenue. Someone was entitled to a refund check, and it had not come, and they thought their legislator ought to get them their refund check. I had dealt with the agencies during the period when I was involved with the Veto Force with Governor Kerner. When I got in the legislature I continued to deal with some of the same people. The liaisons appointed by the various departments, who dealt with us in relationship to the legislative interests of the department, were extremely helpful in trying to adjust the complaints, grievances, or problems of our constituents.

The secretary of state's office always gave this kind of assistance. In addition to license plates, there were lots of little problems that occurred, and they were always extremely helpful in terms of trying to be of assistance. They were also helpful in drafting legislation that affected their department. For example, I worked with them in the organ-donor program. This involved the use of the driver's license as perhaps the best way to solve the problem because everybody carries his driver's license, and when he or she is admitted to the hospital after an accident, the driver's license is with them. It occurred to me that if we could do something about using the driver's license, we would be able to get organs transplanted within the necessary time frame. A short span of only a few hours can elapse between the time when an injured person died, and his organs may be transplanted. The secretary of state's office obtained information from other states relating to the subject. In general, the state agencies were both helpful to our constituents, and also helpful in terms

of legislative problems and the solution of public problems that touched upon their area of expertise.

Q: Did they generally come to you and make the contact? Or did you have to seek them out to gain their help?

A: In my case, I sought them out. If you are talking about help in the legislative arena, I usually made first contact. Agencies, I'm sure, do seek out some legislators and ask them to carry particular bills. I was not that legislator.

Q: Did you have a particular plan for going to departments and making sure that all the secretaries knew you?

A: No. Most of my constituent work was done by my administrative assistant. She contacted the people and dealt with them directly. When a knotty problem appeared, at that point I would contact the agency or write a letter to the agency. That didn't occur too often. She was able to handle most of the problems directly, though a direct request from the legislator was like a shot of adrenalin in some situations.

Q: Now on legislative matters, did you normally work with individuals in the departments who were assigned the responsibility for managing legislation or relations or did you work with department heads?

A: Ordinarily I would work with the individual who was the liaison. I do recall working rather extensively with Director O'Connor of the Department of Insurance in regard to some arson problems. The legislation they had presented was not satisfactory to me, as the chairman of the committee to which the bills were assigned. I found him extremely helpful in trying to achieve objectives without impinging upon civil liberty considerations that were important to me.

Q: Were there any particular legislative assistants from the departments with whom you worked very closely?

A: The secretary of state handled so many activities that are of importance to constituents that his legislative assistant and legislative liaison were particularly important. Jeanne Flynn was a great help on many occasions with regard to constituent requests. When I wanted the assistance of the secretary of state's office in gathering information from other states, and making suggestions for improving the organ-donor program, I asked Miss Flynn to put me in touch with the people in the secretary of state's office who were most familiar with that program. She then had the appropriate persons get in touch with me, and from that point, on I dealt directly with them. I always found the secretary of state to be very helpful, whether a Democrat or a Republican.

Q: On that organ-donor situation, where did that come from? What was the genesis of the idea, do you recall?

A: I mentioned that I had a constituent who was very interested in the kidney dialysis problem. Kidney transplant is one solution to the problem. However, people with diseased kidneys outnumber kidneys available for transplant. So he suggested to me that I ought to do something about beefing up the organ-transplant program, which had been in effect in Illinois for a number of years, but had lain dormant.

We made some significant improvements. Now you can take your driver's license and use it as a will, indicating by signing your name directly on it that you consent to the use of your organ or organs for public health and medical purposes. When you are brought into a hospital dying and they take the wallet out of your pants, or purse, they have your consent



to use your organ or organs for medical purposes right there. That seemed to be a very efficacious way of dealing with the problem. It eliminated the delays involved in the hospital having to contact next of kin. First of all, there's a problem of reaching the next of kin. And then, if it's the wife or the husband, sometimes the wife or the husband wants to talk it over with their children. They, themselves, are distraught in such situations. By the time they work out the family problem, the organ is no longer in a condition in which it can be medically transplanted.

Q: Now did you have to go into that kind of detail on the floor to get the bill to go? Was there much opposition to it?

A: I ran into a different kind of opposition. The right-to-life people opposed the bill because, in the course of amending the statute, we also had to deal with the problem of brain death: in other words, "When is a person dead?" The right-to-life people decided that they could use my bill as a vehicle for amending the other statute, the statute that related to when a person is legally dead in Illinois. I was not about to let them use my bill to change a statute in a way that was medically contraindicated. And I was prepared to lose my bill if the choice was to make the concession they wanted me to make. They had declared war on my bill in the senate, and my senate sponsor had tentatively agreed, without consulting me, that we would agree to make that compromise. I said no. I arranged some meetings with key senators, senators who ordinarily would be quite sympathetic to right-to-life legislation. I persuaded them that the right-to-life people were acting unreasonably in trying to use my bill relating to organ-transplant, to correct what they regarded as a deficiency in the brain death law in Illinois. And while it was a knockdown, dragout fight, eventually the conservative senators saw it my way and supported the legislation. We got it passed over the opposition of the right-to-life committee. It's probably one of the few bills in Illinois that's ever been passed that was marked for extinction by the right-to-life group. When they start a vendetta, most legislators have biodegradable spines, at least with regard to that pressure group.

Q: Biodegradable spines, you say?

A: Their backbone disintegrates.

Q: I see. Yes sir. (chuckles) What were the mechanics of that? This group came forward evidently and got an individual in the senate to file an amendment to your bill, to add this on. Is that what occurred?

A: Yes. An amendment to the bill was filed. And the question then arose as to whether the amendment was acceptable to the sponsor. After a good deal of disagreement on the floor, my senate sponsor, a very able senator, felt that I would be agreeable to accepting the amendment, because ordinarily legislators have tunnel vision. When they are interested in getting a bill passed, they don't care about the price that has to be paid, or the effects of amendments. So he automatically assumed that if accepting the amendment to some other bill would insure the passage of my bill that of course I would be very happy to do so.

But when I consulted with highly knowledgeable people in the medical field, I found out that the amendment would have had profound negative medical effects that went far beyond the organ-donor program. Accordingly, I sent word back to my senate sponsor that I would not accept the amendment. The series of conferences that I mentioned then followed. The right-to-life people brought in a physician from St. Louis as well as some of their leaders in the state, and we met in a senator's office. It was apparent to the senators, as it was to me, that the physician from St. Louis was a zealot, that he had no medical objectivity, and the arguments he was making were far-fetched and unreasonable. I was very proud of the senators who were there who were willing to take the heat that's involved in taking

on a powerful lobby. But they were willing to do it, and the bill passed without that amendment.

Q: How did you come to the conclusion that this would be detrimental? You had to study the situation. Did you go to advisors?

A: I had necessarily been in touch with physicians in the course of drafting the legislation. It was physicians who principally were interested in having organs available for transplant purposes. In talking to them, I discovered that the limitations that they sought to put into the bill relating to when a person is dead would have perverse consequences in the practice of surgery. They were proceeding on the suspicion that ghoulish surgeons were removing organs before the patients were really dead, not unlike the sign once seen on a Scotch golf course: "Golfers may not pick up lost balls before they stop rolling."

Q: Well, how much time did you have on that? It came up on the second reading and the amendment was proposed. Did you have two or three days to . . .

A: As much time as I needed. The question of when the bill was going to be called again was up to my senate sponsor. The senate sponsor called it early enough on second reading so that I could get a postponement of a week. And one of the things you discover is that you can, with a few telephone calls, garner an enormous amount of information if you know how to make telephone calls and know who to call.

You do learn a lot about a variety of subjects in the course of legislation. You know many doctors, for example. Doctors are always trying to lobby you, or the medical society is always trying. And you can go back to them for suggestions as to who is particularly expert in this field of medicine. It doesn't take as long to do that kind of thing as it may sound. A few telephone calls to well-chosen individuals and you would be surprised at how expert you can become on a narrow subject in a very short time. Lawyers and journalists have to develop this skill. It is equally useful to the legislator.

Now, there was a very able plastic surgeon in Springfield. His name was given to me when I was searching for information. I telephoned him. And he was most interested and offered to be of help in any way that he could. I asked if he could come over to my office for a few minutes, and he did. While the telephone is very useful, sitting down in person with a physician and spending a half hour is invaluable. I had no trouble getting enough information to satisfy myself, and the senators became persuaded, without my bringing a doctor into the meeting, that I was making more sense than the physician that the right-to-life people had brought in from St. Louis.

This incident illustrates why I insisted on being in control of the handling of any bill that I sponsored. Had the senate amendment been accepted, the bill would have done much more harm than good.

Q: Did you have contact with the Department of Health in regard to that?

A: No. In an earlier period I did. During the Walker administration I found Dr. Joyce Lashof to be a superior administrator and public health authority. And I remember turning to her at certain points and getting information from her. I found as years went on, however, that the quality of the administration of that department, at least as I viewed it, deteriorated. There were not very many Joyce Lashofs around, and I went directly to physicians to get the information that I needed.

Q: We can move on to the judicial area here. You served on the Judiciary Committee the entire time, as I understand.

A: Yes, I did. It was my first love in the field of committees.

Q: One question I have is why did it split up in 1971, other than perhaps the amount of work that was involved?

A: That's an interesting question. While the amount of work was relevant, it was not determinant. A fight occurred in the Republican party for the leadership of the house. Various candidates were contending for the position of speaker. Bob Blair and Henry Hyde were both interested in that position, and when it all settled down, commitments were made by Bob Blair to Henry Hyde . . .

## SESSION 7, TAPE 13, SIDE 2

A: . . . under which Bob Blair agreed to give a Judiciary Committee chairmanship to Hyde's able lieutenant, George Lindberg. Now, Henry Hyde had exacted that from Bob Blair as part of the price of the settlement of the Speaker's race, yet Bob Blair could not fail to reappoint the existing committee chairman, who loyally supported him. So how do you solve that kind of problem? Well, you don't do it by reading the recommendations of COOGA [Commission on the Organization of General Assembly] with regard to . . .

Q: Reduction?

A: . . . reduction in committees. You solve it very practically, politically, by creating two judiciary committees. It's what might be called the amoebic principle in the field of political science, in which you subdivide, thus creating two committee chairmanships. And so that is the real answer to the question you raised, even though it is true that there was something to be said for it in terms of the fact that the committee work load was very heavy, and a large number of bills went to the committee.

Q: So let's see, at that time you moved to Judiciary II which dealt with the criminal code?

A: It was a little broader than that. Bills which had to do with criminal law, with courts, and judicial structure, went to Judiciary II; civil law was given to Judiciary I.

Q: Was there any particular reason why you wound up on the Judiciary II, as opposed to the Judiciary I?

A: I elected to go to Judiciary II. I had had a lifelong interest in civil liberties. I had no client interests in that field and I preferred to be the chairman of a committee where I had no client interests. I would add, parenthetically, that there are two sides to that issue. Some people believe that it is better to be chairman of a committee where you are most knowledgeable. That is usually the field in which you do have client interests. I, myself, prefer the objectivity of presiding over a committee where there are no client interests which may impinge upon the decisions you have to make. That was the reason why I felt that it would be better for me to chair Judiciary II.

Q: You started right out with Judiciary, and then became chairman. Were there things that you learned as you went along that caused you to change the procedures of the committee, or the way it functioned?

A: I had not been pleased with the way committees operated in the General Assembly. Customarily, they were rubber stamp operations, in which bills went in and they came out. Yet the purpose of a committee should be precisely to weed out bad bills. Few Illinois legislative committees could share the satisfaction Everett Dirksen once expressed when he said he was most proud of the bills he prevented from being enacted. There was, I thought, little meaningful inquiry into the effects of the bill, a general problem, incidentally, with the legislature. Legislators only see that bill. They don't sit back and muse, "Well, if we pass this bill, what other groups are going to come in and want the same



privilege? What will be the long-run effects?" Legislators by and large don't think that way. They say, "Well, will this bill solve a problem?" and, "Will it help my good friend Joe here?" And if the answer is yes to both questions, then they pass the bill, even though any deliberative consideration of the bill might incline one to believe that its long-run effects on the development of the law may be pernicious.

So those were some of the problems that I had observed. In addition, the committees didn't initiate enough legislation. Somebody came with a bill and the committee either voted the bill "do pass" or "do not pass." The committee never held hearings to determine the need for this kind of legislation. They didn't draft a tentative bill, and open it to public inquiry, consideration and criticism. If three different bills were introduced related to a common subject, frequently they would send all three bills out to the floor, rather than passing out only one bill covering that subject.

Q: How much of not considering the ramifications of passing a bill and of not initiating enough may have been caused by the amount of time that a legislator had to devote to it? Was time, or lack of it, a factor?

A: Absolutely. But, even in a part-time legislature, it is possible to do a better job than we usually did.

Q: Are you saying the average legislator didn't put enough time into the job?

A: Well, that isn't what I said. I said that they didn't make good use of the time. If you are one of the peasants and not one of the leaders in Springfield, a lot of time is spent in cooling your heels, while the leaders are meeting with the chief executive or among themselves. Legislators are forced to waste a lot of time.

In the Judiciary II Committee, when I chaired it, amendments to the bill had to be presented in committee. Time after time a legislator would bring a bill before committee, the committee members would ask searching questions that pointed up a weakness or deficiency in the bill. The member who was the chief sponsor of the bill would say, well, he would clean that up when it got on the floor. Once the bill got out of committee, he forgot about it and moved on to other subjects. Even when he tried to draft an amendment, it may not have cleaned it up at all. During my chairmanship the amendment had to be presented to the committee, so that we could decide whether to adopt the amendment offered in committee, or not to adopt it. We would make our staff person available to work with the chief sponsor of the bill. But we had the final say-so as to whether the bill, in the form in which it was going to the floor, was acceptable to the committee.

Q: Did you have a problem in making that change effective? Was there resistance?

A: Yes, there was resistance. Some argued, "That's not the way it's done in other committees, and what right have you to have practices that are different from other committees?" But we did it. Sometimes it resulted in irate sponsors who moved to discharge the bill from the committee to the floor. Our committee did not, during my tenure at least, win any popularity contests. Many members don't like to have their freedom of action interfered with.

At one point we killed a bill in the committee. At first glance the bill had something to be said for it, but at second and third glance it became increasingly less desirable. The bill said that if anybody attacks a person sixty years of age or older, a senior citizen, it would not be a battery, it would be an aggravated battery, a more serious crime, carrying enhanced penalties. Our committee felt that that was not a desirable kind of bill for a variety of reasons. In the first place, it makes exactly the same behavior punishable in different ways, depending not on the act engaged in, but on the age of the individual who happens to be the butt of the attack. Second, when you start along that road, there is no

stopping. You have to continue to create new crimes. My colleague, Aaron Jaffee, was quoted recently as saying, "We have enough criminal laws in Illinois to put every man, woman, child and dog in jail for 417 years." In the third place, you can't know whether a person is sixty, or sixty-one, or sixty-two or fifty-five when you hit someone. How can the person who's going to be sent to jail have knowledge of the crime he committed? And when you are talking about offenses that are going to keep people in jail, there are constitutional standards that have to be met.

Well, in any event, our committee didn't like that kind of bill. The senate sponsor was absolutely furious. He undertook to kill in the senate every bill sponsored by any member of the Judiciary II Committee who voted against his bill. He thought that he had the greatest bill in the world, and he had played it up as the solution to the problem of crimes against seniors. And the notion that our committee could reject his bill was beyond the pale. He took it to the senate floor, he took it to the house floor. I think he ultimately won because legislators, as I have indicated, don't like to look at the overall effects of legislation. And it seemed an appealing solution to a significant problem in our society.

But it isn't a solution. Legislators believe that by increasing penalties they are stopping crimes. It always reminded me of an Aesop fable about a little dog who gets up in the morning and starts to bark. As he barks, he observes that the sun rises, and he gets an enormous sense of self-importance. He barks furiously every morning. And he becomes persuaded that his barking causes the sun to rise. Well, some legislators are the same way. They believe that, if they pass a law which inflicts horrendous penalties if you attack a senior citizen, it will eliminate the crime.

History is replete with examples that indicate that that's not so. They used to hang people for pickpocketing in 17th Century England. The pickpockets had great field days attending these hangings, when all the citizens would gather to look with rapture at this poor fellow being hung. Sensing that the people in the mob were transfixed by what they were observing, the pickpockets easily worked the crowd.

At other times they tried to cut off people's hands for pickpocketing. It is simply a fact that increasing the severity of penalties doesn't eliminate the crime. Indeed, the increased severity of penalties by the legislature is not even known to the individual who commits the crime. It makes for good campaign literature. It gives us a great sense of achievement and accomplishment. But I'm not persuaded that it has the slightest effect on crime rates.

Crime rates, rising fairly steadily during the very period when we've been passing enhanced penalty bills, appear about to begin a decline. Passing bills that increased the severity of sentences has not brought that about any more than the dog's barking caused the sun to rise. We passed bills increasing penalties, and for a number of years the crime rate rose. It's largely a matter of demographics and economics. The post-war baby boom has reached a point where the group of people who were the babies then are now entering the burnout phase of their lives. The commission of crime is age-related.

Among young blacks between the ages of twenty and twenty-nine, one out of every twenty in the United States at any given moment is in jail or prison, according to Norval Morris. In contrast, in the white community, about one in seven hundred in the same age group is in prison. Yet blacks who make it to the middle class, he says, are less likely than similarly-situated whites to commit crimes. Crime is also related to being part of the underclass in a society. As long as you have this underclass, whether black or Latino, you're going to have these tremendous crime rates until the perpetrators reach a certain age. And then when people reach a certain age, the propensity to crime diminishes.

I don't want to leave the impression that what we do in Springfield is useless. It is important that we have sound administration of criminal laws. I don't think we ought to coddle criminals, if I may use that inapt expression in view of the state of our prisons, but I don't



think that we ought to overestimate our importance in being able to rectify the problems. The speediness and certainty of punishment is far more important than its severity in terms of discouraging crime, I think.

For a long time in America, we had fixed sentences. Then early in this century, we instituted indeterminate sentencing. It was a great reform movement at the time. When some poor fellow committed a crime, instead of saying as we had before, "We're going to put you in the jail or the penitentiary for a certain number of years," we would give indeterminate sentences in which the individual would be put in jail or otherwise incarcerated for a period of "one-to-life," for example. And we said to such an individual, "You have the key to the jailhouse door. All you have to do is rehabilitate yourself, be sufficiently repentant, and we will let you out." It fit in with the prevailing Protestant ethic. The individual had the power to succeed, we thought.

It also fit in with another part of the mythology of the period, the tyranny of the expert. We believed that we had experts — psychiatrists, criminologists, social workers, psychologists — who could confidently predict whether this individual was going to commit another crime and we would know whether, when he got out of prison and went into society, he would be able successfully to return to the good life of the outside, or whether he would not be able to make it. And we developed in our prison population some of the great actors of our time — it's a shame they weren't eligible for Academy Award presentations — in which the prisoners appeared before parole boards, wringing their hands in anguish and being sufficiently repentant, sorry for what they had done, promising never to do it again. On the advice of our "experts," we let those people go out, to, in many instances, commit great crimes.

During my tenure we went back to a new system of sentencing, determinate sentencing, in which the judge fixed the penalty, none of this "one-to-life" business. And from that point on the only thing the individual could do was modify that penalty by good behavior.

#### SESSION 7, TAPE 14, SIDE 1

A: For a ten-year sentence, with good behavior, the individual could be out in five years. And we also tried for uniformity in sentencing. The judge has to state on the record the aggravating factors that he took into consideration in arriving at the sentence. Our objective was that the same crime would more nearly result in the same punishment anywhere in Illinois. Now I think that all that is good. We have set up procedures under which judges are required to state definitively in the record why the judge approves a plea bargain. This is to make the justice system accountable.

The populace has not been concerned about the cost effects of increased incarceration. We have a burgeoning prison population. About 9,900 were in state prisons when I went in the legislature in 1965. The number dropped right after that to about 6,000, but since 1973 it has steadily risen. As we talk today, it is over 15,000. It costs much more to keep a prisoner at our worst penal institution than a student at our best university.

Is the society any more secure than it was when we started passing all of this legislation? I would have to tell you honestly, no. But it's not because we passed legislation or we didn't pass it. I confidently expect that a generation hence there will be another Judiciary II Committee, and they will hold hearings as we held hearings, and they will come out with this sensational reform which is going to be indeterminate sentencing, and we're going to repeat the same cycle. We adopt these programs expecting that they're going to solve our problems. They won't solve our problems. We pass a new program, and it offers the hope of security. And maybe it does have some real advantages, but, in the long run, usually it's not going to solve the problem.



Politics plays a part. Governor Thompson came in with his Class X program, in which the house was locked in mortal combat with the governor and the senate. Governor Thompson suggested that the Class X program, in which individuals who committed serious crimes would be mandatorily imprisoned, would solve the problem of violence. People wanted to believe that, even though it wasn't true, so it made a good political issue for him. Our committee bill, House Bill 1500, did not take away from judges the right to give probation. Our prisons are reprehensible institutions, and, in fact, schools for crime, but we put more and more people into prison, thus making sure that they will be masters in the field of crime. Now, the governor required lots of people to be put in prison mandatorily, even though a judge hearing the case might say, "It just doesn't make sense." But the judge's hand is tied under the Class X doctrine.

When the governor introduced this Class X concept, he expanded upon a limited number of crimes for which probation could not be granted. Then the legislature got in the act. Traditionally, burglary, because it does not include violence or intimidation, has been a crime in which a judge could give probation if he desired. Then some legislator decided that we're going to have a new crime, residential burglary, for which, unlike regular burglary, we are going to have mandatory minimum imprisonment, where the judge cannot decide on probation as an alternative. Young kids who burglarize a house, regardless of the circumstances, must be put away in schools for crime, where the most reprehensible kinds of societal practices are engaged in routinely in our major penal institutions. When a kid is thrown there, God only knows how he will be when he comes out. But the legislator then goes back to his constituents and says, "Look, I have protected you."

For many years the General Assembly has been busily engaged in trying to enhance the status of judges. We passed a judicial article. We've given increased compensation at every turn to judges. We have encouraged judicial training programs. We have provided them with increased staffing. And yet, we pass these laws that prevent a judge from using his judgment in what must be the most socially-important cases that come before the court.

Q: Now that type of argument that you're presenting there, how did you manage to do that in the committee? As chairman were you able to say, "I'm . . ." Do you have to remove yourself from the chairmanship in order to make a statement like that?

A: No. We don't practice by judicial rules. Judges can't make speeches but legislators can. I might on occasion relinquish the chair if I was a participant in the matter under consideration.

Q: Did you have any influence over who was on the committee?

A: No. I might go to somebody and say, "Why don't you ask in your committee assignments for Judiciary II? You would be a good member of the committee." And if they did ask, they ordinarily would be put on it. Our leaders have always tried to put people on the committees that they request.

But our committee members were always interested in being on working subcommittees. When I got in the legislature, if a bill went to subcommittee, that was a shorthand way of saying that the bill had gone to extinction. It was a burial rite in most committees, but not in our committee. Our committee used the subcommittee to really work on a bill, and perfect it.

I was sometimes criticized by some of my liberal colleagues because I would work with a conservative legislator to improve his bill. My friend and vice-chairman, Roman Kosinski, used to come in with bills with which I frequently didn't agree. Recognizing that bills have a way of finding their way out of the committee by being discharged, or attached as an amendment on the floor to some other bill, I always tried to put the bill in the best form it could be in, even if I intended to oppose it on its merits in committee. It is possible to

take a conservative proposal, and present three alternatives, one of which may be acceptable from a civil liberties point of view, even if not from a policy point of view. And that's what I would ordinarily try to do.

Some felt that by doing that I was playing into the hands of the sponsor, because if I hadn't cleaned up the bill, or had a subcommittee clean it up, with the assistance of our able counsel in the committee, then they would be able to defeat the bill in committee or on the floor, pointing to the flaws in the bill. I concede that there are two sides to that question. On balance, I believe that it was wiser and safer and more consistent with my role as a legislator and as a committee chairman to try to eliminate parts of the bill that posed threats to constitutional guarantees, civil liberties, and sound administration of justice. And I did find that the Roman Kosinski's of the world would frequently accept such amendments.

There were many bills that I could never agree with. There was no way to clean up bills relating to the aggravated battery concept to make it acceptable to me. I disagreed on principle with death penalty bills. But there are many other bills that can be pruned.

Q: Did you have any problem with getting the committee to work the way you thought it should? Were there those who just wouldn't go along?

A: Some members did not share my philosophy, but none was obstreperous. We had some able and vocal conservatives on our committee. They never hesitated to oppose me in the committee or on the floor, yet they worked constructively in committee. If the committee went too far in a direction not shared by most legislators, an unhappy sponsor could — and on occasion did — go to the floor to have the bill discharged from committee.

#### SESSION 8, TAPE 15, SIDE 1

A: Some of the ablest legislators during my time in the house were attracted to Judiciary, and I served with them under chairmen Ab Mikva, Bernie McDevitt, George Lindberg, Brian Duff, and Romie Palmer. Outstanding women like Peg Breslin, Susan Catania, and Anne Willer were there. Other able and dedicated legislators were Bob Mann, Mike Getty, Alan Greiman, Lee Rayson, Joe Lundy, George Sangmeister, Harold Washington, Dan Pierce, John Cullerton, Art Berman, Dan Houlihan, Henry Hyde, Adlai Stevenson, Bill Kempiners, B. B. Wolfe, Carl Soderstrom, Gene Schlickman, Mike Holewinski, to name some.

Q: Who would have been the most conservative?

A: Roman Kosinski, Tim Johnson, Roscoe Cunningham, Henry Hyde, and Harry Leinenweber were the most conservative in the criminal justice field. George Sangmeister had been the state's attorney in Will County, and was certainly very sensitive to the needs of the prosecutor. They were all very conservative on law-and-order issues. I liked them all. Conservatives once distrusted government and an all-powerful police force, but not in our time. Memories are short, indeed.

Q: One of the goals you had established was to have the committee initiate legislation. Were you successful in getting the committee to think out and develop programs and initiate legislation.

A: In 1978 with House Bill 1500, a committee bill, we revised the sentencing law in Illinois. The work of Mike Getty and our committee counsel, Jim Bagley, was notable. We systematically tried to do something about the problem of the individual who is found not guilty by reason of insanity. We conducted hearings, made many inquiries on the subject, and in 1979 came up with House Bill 1010, an attempt to give the state considerable control over such individuals, without doing away with the insanity defense.



We went into other areas, but with uneven success. We held hearings throughout the state on gun control, which always ended up as an insoluble problem. We tried to achieve speedier trials, but the criminal justice system still creaks along. There were differences among the committee members on the relative weight one gives to protecting the rights of the defendant, as against vindicating the position of the complaining witness. Sometimes the two are not compatible, and you are necessarily required to balance the interests of one against the other. We tried to be more responsive to the problems of the complaining witness without impinging upon the legitimate rights of the defendant. We went into problems involving compensation for the victims of crime. We did improve that law. We got into the problem of abuse by the police of their authority. Anne Willer worked very hard with regard to strip search legislation — laws to protect women from intrusive examinations by policemen. And there were other bills that we considered and passed out with regard to abuses of citizens' rights by police, notably the Chicago police.

We tried to initiate legislation. We did get input. We didn't begin to solve all of the problems with which we were confronted. Juvenile justice was a very difficult field that we tried to get into.

Q: As chairman of the committee, what technique did you use to encourage the committee to initiate legislation?

A: We began with statewide public hearings in Springfield and in Chicago, at which citizens or professionals could raise any issues they desired. Then I established standing subcommittees, and encouraged subcommittee chairmen to hold further hearings in Chicago and downstate on problems of importance in the area covered by that subcommittee's jurisdiction. The counsel of the committee was made available to each of the subcommittees. I encouraged the subcommittee chairmen to involve local legislators when they went into areas where they held hearings. I pointed out the advantages to the legislators from a political point of view; good public relations would both assist them as legislators, and also bring about involvement of the community in some difficult problems, like capital punishment, with which we were grappling. I appointed members of the committee to the different subcommittees after ascertaining their tastes, their choices, their preferences, and I worked with the minority spokesman to involve Republicans. I tried to encourage the functioning of the committee during periods when the legislature was not in session. None of those worked miraculously; it is very difficult to get legislators to abandon their other activities for interim legislative activity. But I thought that the committee and the subcommittees did some effective work. Out of it did come a new sentencing law for Illinois.

Q: Well, where did you get the idea for the things that should be investigated? Like gun control or stop and frisk? Did you wake up in the morning and spend hours making a list of things that you wanted them to go into?

A: The transcript of the testimony at the initial statewide hearings contained a gold mine of subjects. However, I don't think that one has to be omniscient to see the problems that exist in the criminal justice field. They are readily apparent. I set up subcommittees that covered what seemed to me to be the most fruitful areas of activity. Sometimes legislators, themselves, indicated an interest in particular activities. The work that we did in connection with sentencing was motivated by many factors, but included among them was the fact that Mike Getty was enormously interested in that subject.

Criminal justice is so close to the heart of the citizenry, the problems are so apparent to everybody, that it was not difficult to see what was troubling the people of Illinois. Whether you could come up with solutions, that's much more difficult.

Q: Getty, you say, was interested in sentencing problems. A criminal sentencing commission was formed. How did that come about?



A: The Judiciary II Committee in the house came up with its committee bill, House Bill 1500, a bill that Bill Redmond, our Speaker, very strongly supported. We sent that bill over to the senate. When it got into the senate we came into conflict with the governor's interest in passing his own criminal justice program.

Q: Now, this would have been Thompson at that time?

A: Thompson was governor. The major part of his program was Class X legislation. The Democratic . . . leader in that senate committee was Bob Egan. Rather than working with the house, which was under Democratic leadership, and trying to enact House Bill 1500, he became the spokesman for the governor in the criminal justice field. We held many meetings trying to reconcile substantial differences. The governor got his package through the senate, but could never get it through the house. We had our bill passed in the house, and could never get it through the senate, given the combination of Senator Egan and the Republicans in the senate. Finally, the differences were compromised. We accepted Class X, and the governor accepted the general structure, format, and operation of House Bill 1500.

In deference to Senator Egan, the governor included a provision to establish a criminal sentencing commission. And that's where the Criminal Sentencing Commission originated. For many years it was a commission run by Senator Egan, even though Mike Getty served as vice-chairman and I served as secretary.

Q: Was it an effective commission? Were there results?

A: Well, it had limited effectiveness. Its annual reports collect statistical information concerning the impact of House Bill 1500, the impact of the new sentencing law. That, I think, was the intellectual justification for the commission. We were putting a new system of sentencing into effect, and it ought to be monitored. Aside from the presentation of the statistical material, the Criminal Sentencing Commission contributed little.

Q: In that instance there was compromise between the governor's position and your position in the house committee. You must have had to walk a tightrope down the middle of your committee activity. Was that much of a strain?

A: Well, it is simply a fact that compromise is an essential element of the legislative process. In some situations I refused to compromise. But in my role as a committee chairman compromise was essential if our committee objective was to be realized. When we had to reconcile differences with the governor, we sat down with the governor's representative and Senator Egan, and we examined the disagreements issue by issue, and tried to talk them out. I am a great believer in the ability to talk things out, and to reach rational compromise. However, there were a number of points on which I did not agree with the governor's proposal. We improved it as much as we could, cleaned it up, you might say, and tried to eliminate what we considered the glaring injustices. But in the end we had to accept some things that we didn't want to accept. We had to swallow some provisions that we didn't think very wise. But it was essential that we reach compromise because, if we hadn't, we probably would have ended up with the governor's entire package enacted.

Bill Redmond was very helpful, very eloquent and very strong on the issue, but rising crime rates, and the governor's inflammatory rhetoric, have an eloquence of their own. And there was only a limited amount of time that we could have stalled the Class X proposal in the house, and prevented the house from adopting the entire senate bill. Accordingly, we compromised.

Q: All right, now you had an individual like Leland Rayson on the committee, who apparently wouldn't compromise with anything, and as a result wasn't very successful in getting his legislation through.

A: It was possible to work even with a Leland Rayson. I was able to get Leland to go along with some programs. And a Leland Rayson serves a very important function. We need people who are not willing to compromise, to keep people like me, who are very willing to compromise, from compromising too much.

Q: Let's see now, he put in a bill to legalize marijuana, and you modified that somewhat before it went through. Do you recall that situation?

A: Yes. He put in a bill that would have legalized the use of marijuana. I did not find that acceptable. I thought that we did not know enough about the effects of marijuana to legalize it. But I felt that the punishment that was being meted out to kids was counterproductive. We were giving kids criminal records that might plague them the rest of their lives. And for no good purpose. In addition, there were enormous disparities in the sentencing. If you were in a particular area you got a pass on a simple possession of marijuana charge, but if you were in some other area, you were jailed for exactly the same offense, depending on the temperament of the judge and the mores of the community. And I felt that that was wrong. And so I did not go along with Lee's proposal. And incidentally Harold Washington had come in with a similar proposal.

So I tried to lessen the penalty, and to give first offenders no more than a fine. I don't know that we accomplished anything. I remember that I put in such a bill with my friend Jack Merlo. We got the bill out of the house, and it went over to the senate. And Jack came over to me, and reported with great alarm that he had seen some wild looking boys wearing earrings who had come down to support the legislation. It would be death to the bill if they testified on it in the senate. So we quickly got the hearing postponed. He did try to talk to the kids, and try to get them to see the broader interest. And the anecdote is appropriate in view of our conversation about compromise. When the kids were told, "Look, if you want this legislation to pass, the best thing you can do is not be here," they responded, "That's not our problem. If the senators are so stupid that they're going to vote against this bill just because we are here and wear earrings, then that's the senators' problem, not our problem." However, legislators who love their bills — and we do love them — and we're very hurt when someone votes against them — don't accept that kind of answer. Fortunately, when the matter was rescheduled, it was inconvenient to our young friends from Chicago. They never showed, and we successfully got the bill through the committee.

Q: You used the term "we" in regard to Class X, for example. Now that kind of connotes that the committee was a solid unit, which probably wasn't true, was it? When you say we, who do you mean in the committee?

A: It was a solid unit on the issue of Class X. Both Bill Redmond and the committee were solidly behind House Bill 1500, and they supported us in the fight with the governor on Class X. It was an appropriate use of the term.

Q: So you were able to achieve unity within the committee then?

A: Yes, on that major issue. We all worked together and Mike Getty was very effective. There was no opposition in the committee to this revolutionary change in Illinois sentencing law. We had thoroughly investigated the subject. We had come out with proposed legislation following that investigation. We had conducted hearings on the proposed legislation to perfect it before we filed the legislation. Then we came in with the final proposal for the committee bill, and all of the differences in the committee had been ironed out by that time.

Q: Abner Mikva was particularly concerned with jail standards at one time, or, at least, he introduced the legislation. Do you recall anything about that subject and the development of it?



A: It was a perennial subject. The state imposed standards on county jails. Some counties, like Macon County, said they couldn't afford it, and so legislators from that county came in and tried to get the state to assume the cost of meeting the standards that Ab Mikva's bill had imposed. People from other counties and legislators from other counties said, "Why should we pay our taxes so that Macon County can have adequate jails? In our county we're paying for it."

## SESSION 8, TAPE 15, SIDE 2

A: You have a difficult problem when the higher government, the state in this instance, adopts standards which require local units of government to spend more money out of their own coffers. We have that same problem in the education field.

Q: Mandated.

A: Yes. The federal law relating to the handicapped, 94-142, imposes tremendous obligations on states and local school districts, yet pays only a pittance of the cost that they are mandating on the local unit of government. That's unfair, yet there has to be some minimum standard when you incarcerate people in county jails. And the same rules ought to apply to Macon County that apply to the county that I'm the legislator for.

Q: What about the compensation of victims of crime? Abner Mikva introduced legislation. Did that come up as a result of your committee?

A: The committee worked on it, but it was not a major interest. Various public officials along the way — Bill Scott, for example, interested himself in trying to improve the bill that Abner Mikva and Lee Rayson had pioneered some years before. The subject continued to come before the committee, and we continued to try to make some improvements in the law in that area. We viewed it, of course, as not only compensating the victim, but also as encouraging the victim to cooperate in the prosecution of crimes. The latter was made a condition of securing compensation. People are unwilling to prosecute for a variety of reasons. They are afraid. They experience terrible delays in the criminal justice system. The counsel for the defendant, as a tactic, may deliberately try to make it inconvenient, if not onerous, for the victim, who must come to court time and time again.

We tried to do something about continuances, postponement and delay in the trial courts of the state. We required judges to have affidavits in the file to justify a continuance. We tried to require lawyers to file affidavits. There were differences of opinion in the committee. Situations obviously exist when lawyers are tied up in other matters. And to force an individual to go to trial in that situation is to deny that individual the right of counsel; the lawyer cannot be in two places at once. On the other hand, I would have gone further than the committee was prepared to go in cracking down on delay, because I think that speedy trial is the most important weapon in the fight against crime. I don't think that increasing punishment has very much effect, but quick prosecution does. And that's the right direction for the law. I've had friends who have been unwittingly brought into the criminal justice system as complaining witnesses, and some of their experiences have been dreadful. I always wanted to push the committee further in the direction of legislating for speedy trials.

Now, the judiciary, under Article IV of the Illinois Constitution, has very strong powers in itself to implement policies along that line. I think they have been trying to do it, but I have never been satisfied that the result has been effective. On the national level, Congress in recent years has vastly improved that situation in the federal courts by legislation. Congress has forced the federal courts to give priority to the trial of criminal cases.

Q: It's often said committees should be more effective in getting rid of unnecessary legislation. Do you agree?



A: From the time I went into the legislature I was a great believer in killing bills. I thought that that was my function as a legislator. And I remember an experience that I had my very first session. I had spoken against a member from Chicago's bill on the floor of the house on third reading, and I was doing some things at my desk after the house had adjourned, and this legislator came up to me. "I want to talk to you," he said, "I think you and I need to have an understanding. You know, I've been observing what you've been doing to my bills. You got up today and tried to kill my bill, and in committee a couple of weeks ago you spoke out against my bill." And then he mentioned another committee where I had spoken out against another bill of his. "Now," he said, "if you want to have war, I'll give you war here. But there's no reason why we can't get along. I like you." Absolutely flabbergasted, I said, "You know, I have nothing against you. I like you, too. I just didn't like those bills." He didn't seem to understand. And he went away muttering, "You know, we really have to understand each other." And I went away perplexed at how you can discharge your responsibility as a state representative to oppose bad legislation in the face of these close relationships among legislators where they protect each other's bills as they would protect each other's children, and where an attack on a bill is viewed as a personal assault on the legislator.

Now, it never stopped me from continuing that way. And when I chaired Judiciary II, we killed many bills. But as a result, we had feuds going on at times. We had senators up in arms over our audacity in killing their bills. I don't know that there is any easy way out of it, but I certainly did have the committee willing to kill bills. We were helped, I think, by the Hanahan Rule, requiring a majority of the full membership of the committee to recommend do pass, just like you have to have a constitutional majority on the floor of the house to pass a bill. Now, I will add, Tom Hanahan was rarely in committee to supply a vote; notwithstanding, his proposal was a sound one because it did prevent bills from being voted out of a 15-member committee by votes such as three-to-one.

In any event, we did kill a number of bills that came before the committee, but as a result, we probably had more motions filed to discharge the committee, or to take the bill off the table, than any other committee, because legislators don't take to a committee that considers their bills on the merits. Some legislators get members of the committee to which they think the bill will be assigned to become cosponsors, a move that effectively precludes dispassionate consideration of the bill's merits by the committee. The longer I stayed in the legislature the more I refused to cosponsor bills, because the tactic — if it can be called that — offends me even though I know that it has some legitimate justifications. A legislator does like to be a sponsor of a bill that may be popular in his district. But, on balance, I think it is a bad practice.

Q: Why is it such a bad practice? Because they do it without investigating what the bill is?

A: Some do it without investigating the bill. All the information they have is a sentence from the sponsor, who says, "Do you want to go on my bill to do this?" Then that same bill comes before them as a member of the committee. As a member of the committee they're supposed to take a look at that bill, to listen to testimony and questioning about it, and reject it if it's not a good bill, but most legislators are afraid that it would put them in an inconsistent position to vote against a bill that they had sponsored.

Q: That their name's on.

A: Right. Somebody might make fun of them. They also feel a moral commitment to the sponsor of the bill, having agreed to cosponsor it, not to sandbag that legislator by voting against his or her bill when it comes before the committee. Some legislators, as I've suggested, deliberately try to get a majority of the members of the committee to which that bill is likely to be assigned as cosponsors. So you don't get any objective consideration of

the bill in such a committee. I importuned the members of the Judiciary II Committee not to cosponsor any bill in the criminal justice field. And I had some success.

Q: Again, how did you go about doing that? Where did you discuss subjects like that with the members of the committee? Did you do it in committee session, or did you collar them in the barroom?

A: Usually, I would do it on the house floor. There's lots of time on the house floor when you don't need to be in your seat. And you talk to the legislator. But I also did it in committee meetings. Sometimes we might start early, and I would mention the subject. Before the session started, I would try to get the legislators together, when there were no bills to be considered, just to have the committee talk about the way we were going to be operating. There are ample opportunities for communication in Springfield.

Q: Was that a normal procedure for a committee chairman, to hold preliminary executive sessions?

A: Well, no. But you do understand that I'm just talking about something that would take place at the beginning of a legislative session. I'm not suggesting that we would have an executive session before the committee would begin each time. It is difficult enough to get the members there on time, much less early for a preliminary executive session.

Q: You became more effective at killing bills as you went along. Can you give me an example of someone who disliked intensely the fact that you had killed his bill?

A: Well, the very legislator who was my seatmate for several sessions and who was my cosponsor on the marijuana legislation, Jack Merlo, when he became a senator, was furious over our committee killing one of his bills. I can't begin to tell you the extent of his anger, not only to me, but toward other members of the committee who voted against his bill. I understand that; legislators feel very personally about their bills. And there were other senators who got angry about the nerve of the House Judiciary II Committee in recommending do not pass on a bill of theirs.

Then they would try to circumvent the Judiciary II Committee. There was a bill that came over from the senate having to do with insanity in Illinois, the insanity defense in Illinois, and adding a "guilty but mentally ill" provision. That matter had been before the Judiciary II Committee for a number of sessions, and the committee had generally not looked on it favorably. Michigan had had such a law and I had spoken to some judges in Michigan about it. In general, the committee did not believe that this approach was a sound one. After the bill had been assigned to Judiciary II, the sponsor went to the chairman of the committee on assignment who surreptitiously reassigned the bill to the Executive Committee. And the Executive Committee of the house was a fine committee, I'm sure, but it was practically devoid of lawyers and could hardly know anything about the problem of criminal law and the insanity defense. This tug-of-war went on in which the Mental Health Association of Chicago, a strong opponent of the bill, protested, and I protested what had been done. And then the bill was assigned back to the Judiciary II Committee, and then again reassigned to the Executive Committee on the morning it was to be heard in committee. It was really a circus. It may have made for good theatre, but it was a terrible way to run a legislature.

That, incidentally, is a major problem in the legislature; either the luck of the draw, or the assignment of the bill to a different committee can affect the outcome. That particular bill never would have been reported out of the Judiciary II Committee. The Executive Committee passed it out overwhelmingly. It became the law in Illinois.

The important point is not the personality factor involved. Unless committee jurisdiction is adhered to, it is simply a question of committee shopping; you just find a committee that will be favorable to your bill, either because that committee doesn't know anything about



the subject, or that committee is under the domination of the sponsor, or friendly to the sponsor. Whatever the reason, the bill is passed out of the committee, and like most bills that are passed out of the committee, it is then passed by the legislature. But it is a repudiation of the committee concept and the committee system.

Q: Well now at one time the Speaker was the one who held control of where the bills went in committees.

A: Your observation raises a most interesting point. Yesterday's reform is tomorrow's problem. Some thought that Speaker Blair had abused his authority and I decided that we ought to improve the rules. In a shortlived campaign for Speaker, I proposed that I was going to make some substantial improvements in the rules. Speaker Blair had been arbitrary, and had assigned bills improperly, so I said that we ought to have a committee that would do it. Well, my candidacy for the speakership was shortlived, but all of the other candidates were very anxious to have the support of my group of largely independent Democrats, and so they acceded to virtually all of my proposals for amending the rules, including a committee, instead of the Speaker, to make the bill assignments. At least the Speaker had been elected by a majority of the house. In his place he appointed a committee which had no responsibility to the members of the house. Thus, my well-intended proposal to reduce the authoritarian actions of the Speaker resulted in a situation where we had even more arbitrary assignment by the committee. And the committee itself was a body largely run by the chairman in the name of the committee.

#### SESSION 8, TAPE 16, SIDE 1

Q: So it didn't work out as it was expected to work, then?

A: I'm afraid that it didn't. And I found that many things in the legislature don't. The untoward, inadvertent effects of legislation is a subject that has always interested me. We put in a bill for one purpose, and we don't perceive that it may have effects that are totally different from what we intend. As we get older and observe the legislative process more, we become more cautious and more restrained in regard to making changes. You can never know what unintended results may follow.

Q: What was your relationship with the Department of Corrections? Did you go to them very often for discussions of their problems and that sort of thing?

A: No, I did not, though the Department of Corrections usually sent a representative to our committee meetings, and we frequently heard testimony from the Department of Corrections. We had a lot of contact with the department when we were molding House Bill 1500, and when we were in the phase of compromising our differences with the governor between House Bill 1500 and Class X, because some of the problems did depend upon facts. We might need to know how many people had been convicted of a certain crime, or the average sentence for a particular offense. The Department of Corrections was helpful, and it did point up the importance of ample statistical resources for background information in making policy decisions. By and large, we've not made good use of the modern computer technology. We have information systems in different areas of the state that don't interface with the information system of the Department of Corrections. Local authorities buy a system for collecting data without giving any consideration to whether or not that system will be able to interface with other systems. Some of this came about due to the largesse of the LEA, the Law Enforcement Assistance project, the federal program that was supposed to solve all of the problems of crime. The LEA was spending money all over the place, and some of it was used to purchase technology that really wasn't thought out. An enormous waste of money.

That's what happens when one unit of government doles out money to another unit of government. There may not be any control over how well it's used. When the receiving



unit of government hears that money is available, they dream up uses for it. People skilled in grantsmanship — the art of milking money from government or foundations — write out very fine sounding proposals to spend it. A lot of LEA funding was wasted in Illinois.

Q: Did you get involved with the committee in that type of thing?

A: No, we had nothing to do with the funding. It's a federal program. We had nothing to do with how the money was spent.

Q: How about prisoner accommodations?

A: We did not get very involved in that. That really was an administrative problem of the Department of Corrections. I believe that systems developed among the prisoners, themselves, really control the life of the prison. I don't know that there's a great deal that we can do about it, other than build smaller prisons. In our big institutions, the alumni of the Chicago street gangs control the whole apparatus, not only within the prison but in all the areas where gangs operate in Chicago.

It is a very difficult problem, and it's not anything for which I could criticize the governor or the Department of Corrections. I think that they try. The federal courts fortunately spur on the officials from time to time in areas where they are failing. The average citizen is in favor of being tough on crime, but is not in favor of the taxes needed to pay for being tough on crime. The Department of Corrections recently reported that it cost them around twelve thousand dollars a year to confine a prisoner. Now, that's in addition to the capital costs involved in constructing prisons. And for juvenile offenders it runs well over twenty thousand dollars a year. The politicians who are in favor of being tough on criminals are not generally in favor of imposing new taxes on their constituents to pay for the costs of the prisons. Our prison population has risen markedly and we're having to put more of our budget in that area, but it still does not provide adequate facilities for the prisoners.

Even if they spent more money, they could not make large prisons desirable. I once was in favor of conjugal visitation. Our committee held hearings on that subject. Mississippi — hardly a bastion of progressive legislation — has conjugal visitation, and has had it for a long time. Some other countries have had it. The whole idea of a prison system ought to be to civilize individuals, not to make them more brutal. You isolate individuals from normal relationships with their families, and they sink further into the hole. They don't improve. We run our prisons in the most nontherapeutic manner possible.

Well, when I proposed conjugal visitation, everyone felt that it was terrible that anybody would want to treat prisoners so well. In fact, one fine legislator from southern Illinois who was on the committee, and who supported my proposal, ended up losing an election, and one of the big issues in his local constituency was down in southern Illinois was that he had supported this proposal to have conjugal visitation. Yet, it is perfectly apparent that unless prisoners can regain mental health and stability, they are not going to be rehabilitated. So we're just running schools to turn out worse criminals.

Q: But the rest of the legislature evidently wasn't convinced of that.

A: Oh, they were against my proposal. I think I did pass a resolution in the house because I was quite willing to do it on a modest scale. It does cost money. You have to have facilities for the prisoner and his wife and/or children to meet together. But from a longrun point of view of a society, it certainly seemed to me to be the way to go. The resolution was slaughtered in the senate. I had strong opposition from some legislators who profess to be "Pro-Family."

Q: In 1973, you served on both the judiciary committees. How did that come about?

A: Well, I have always had a great interest in civil law. And I practice in civil law. And when the committees were together, I, of course, was dealing with civil law matters as well as criminal law matters. It was perfectly natural. As time went on, however, and I became heavily involved in matters of rules, I felt I didn't have the time to serve in Judiciary I, in addition to Judiciary II and Rules.

Q: Did you have any particular objectives in civil law that session?

A: No, I just was a student of the law, if you want to put it that way, and I was interested in the law developing in a sound manner. Most lawyers have a scholarly interest in the law. The legislature affords you an opportunity to use that scholarly interest in the public interest. So I enjoyed it. Over the years, the percentage of lawyer-members has steadily declined. Of course, Speaker Blair and Brian Duff began the practice of having nonlawyers on Judiciary II. I was very much in favor of that. Having different points of view is desirable, and we've had good input from nonlawyers on judiciary committees.

Q: There's no real handicap then in being a nonlawyer?

A: Oh, I didn't say that. No question, being a lawyer is a help, not only on the Judiciary Committee, but in being a legislator. You can be a fine legislator and not be a lawyer, but it's a natural advantage to be a lawyer, if you're going to be in a legislative body. We're so used to reading statutes, interrogating witnesses, thinking about the desirability of changes in policy, and the effects of those changes in policy. It is not a coincidence that, historically, lawyers have played such a major role in the legislative bodies of the United States. But profound things are going on, and because of unrelated factors, there is diminishing influence by lawyers in legislative bodies. Just a few years ago, the chairman of the Judiciary Committee in the Delaware assembly was a nonlawyer. Not a single lawyer sat in the Delaware assembly, so it had to be a nonlawyer. It may be the wave of the future. On the other hand, we are graduating so many more lawyers than we can possibly employ in traditional law jobs that maybe they will be seen in greater numbers in the legislative chambers again.

Q: There was the establishment of the Judicial Inquiry Board after the Constitutional Convention. How much should the legislature get involved with establishing the administrative structure of the judicial branch of the government?

A: Well, that's a very difficult policy question. It involves balancing the judicial article and the legislative article. I would give the Judicial Inquiry Board the opportunity to do the job of ferreting out judicial misconduct in Illinois that the 1970 Constitution intended. Legislators have an obligation to implement the policies of the Constitution as it was drafted and ratified by the people and to fund boards, just as we have to fund courts. But we should not misuse the powers of funding so that we unfairly impinge upon the proper role of the court, and the proper role of the Judicial Inquiry Board.

Q: What did you think when Gale Williams put in a bill to reduce the judges' pay on the Supreme Court from forty thousand to seventeen point five, that is, to equate it with the legislators? Do you recall that incident?

A: I remember it very well. Representative Williams had a vendetta against the Illinois Supreme Court. Having listened to his speeches on the subject, and even occasionally responded, I am not sure that he hadn't his tongue in his cheek when he was doing it. There was method in his madness. He got lots of media attention from it.

Q: What was the relationship between your committee and the attorney general's office?

A: Occasionally, the attorney general would appear before our committee with legislative proposals. We really had more contact with the state's attorneys. In Illinois, the framers

of the Constitution wisely gave the law enforcement prosecutorial powers to the state's attorneys, not to the attorney general. Accordingly, the state's attorneys are the ones who usually appear before our committee. They have an association that appears before the committee. Now, it is true that the attorney generals have sometimes eyed the prosecutor's role enviously. There is an enormous opportunity for public relations in prosecuting crime. I'm always suspicious and distrustful of giving that kind of power to the attorney general, who is at the very apex of politics in the state of Illinois. I opt much more for the format established by the framers of the Illinois Constitution, which accords with the way that the federal Constitution wisely gave law enforcement powers not to the federal government but to the states, and local governments, and counties.

Well, that's only by way of saying to you that on the house floor we met the attorney general head-on in regard to some legislative proposals to give criminal prosecutorial power to the Illinois attorney general. They avoided having those bills assigned to our committee, because our committee would not have been very favorable to that kind of legislation. So we didn't hear from the attorney general very much, except for proposals for improving the legislation on compensation for the victims of crime, and a few other areas.

Q: Grand juries, perhaps? Terms?

A: But the grand jury activity is precisely the activity that is not for the attorney general. That's what state's attorneys do. However, it's the very authority that I was referring to a few minutes ago, that the attorney general frequently would like to have, and has tried to have, through legislation introduced session after session. Both Bill Scott and Tyrone Fahner, men of considerable ability, wanted to give the attorney general powers to convene his own grand jury. And some of us opposed that. I was a major spokesman against that legislation on the house floor.

Q: What was your relationship as committee chairman with the Committee on Assignments, or the chairman of the Committee on Assignments? Did you contact him very often and say, "Look, I ought to be given this."

A: Not very often. Occasionally, where there were glaring misassignments, I might take it up with the chairman. But the chairman didn't necessarily do what I wanted him to do. These differences would have ordinarily occurred when there was a Republican majority and, hence, at a time when I was not a committee chairman.

Q: Who was he reacting to? Was he still reacting to the Speaker at that time?

A: No, he was accommodating his friends. I don't think the Speaker had anything to do with those assignments. Now, I am not suggesting to you that if there were a bill of political importance that the Speaker wouldn't indicate to the chairman of the Committee on Assignments where he would like the bill to go. But I don't think the Speaker really cared, for example, where the bill regarding temporary insanity went. I think that the chairman of the Committee on Assignments made his private commitment on it, without regard to, or with little regard to, the subject matter involved in that bill, and the precedent of how such bills had been handled in the past.











UNIVERSITY OF ILLINOIS-URBANA



3 0112 118344420